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Assembly Proceedings

Official Report

Bengal Legislative Assembly

Eighteenth Session, 1944

The 1st, 2nd, 3rd, 4th, 7th, 8th, 9th, 10th, 11th, 14th, 15th, 16th and 17th February, 1944

BENGAL LEGISLATIVE ASSEMBLY
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The Hon'ble Mr. H. S. SUHRAWARDY, in charge of the Department of Civil Supplies.

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The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD, in charge of the Department of Public Health and Local Self-Government.

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The Hon'ble Mr. JOGENDRA NATH MANDAL, in charge of the Co-operative Credit and Rural Indebtedness Department.

BENGAL LEGISLATIVE ASSEMBLY

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE ASSEMBLY.

SPEAKER.

The Hon'ble Mr. SYED NAUSHER ALI.

DEPUTY SPEAKER.

SYED JALALUDDIN HASHEMY, Esq.

SECRETARY.

K. ALI AFZAL, Esq., Barrister-at-law.

ALPHABETICAL LIST OF MEMBERS.

A

Abdul Aziz, Maulana Md. [Narayanganj East (Muhammadan).]
Abdul Hafiz, Md. Mirza. [Tangail West (Muhammadan).]
Abdul Hafiz Mia, Mr. [Kurigram South (Muhammadan).]
Abdul Hakeem, Mr. [Khulna (Muhammadan).]
Abdul Hakim, Maulvi. [Mymensingh West (Muhammadan).]
Abdul Hakim Vikrampuri, Maulvi Md. [Munshiganj (Muhammadan).]
Abdul Hamid, Mr. A. M. [Pabna West (Muhammadan).]
Abdul Hamid Shah, Maulvi. [Kishoreganj North (Muhammadan).]
Abdul Jabbar, Maulvi. [Dinajpur Central East (Muhammadan).]
Abdul Jabbar Palwan, Mr. Md. [Jamalpur North (Muhammadan).]
Abdul Kader, Mr. [Patuakhali South (Muhammadan).]
Abdul Karim, Mr. [Jamalpur *cum* Muktagacha (Muhammadan).]
Abdul Latif Biswas, Maulvi. [Manikganj West (Muhammadan).]
Abdul Majid, Maulvi. [Mymensingh North (Muhammadan).]
*Abdul Majid, Mr. Syed. [Noakhali South (Muhammadan).]
Abdul Motaleb Malik, Dr. [Nadia East (Muhammadan).]
Abdul Wahab Khan, Khan Bahadur. [Bakarganj West (Muhammadan).]
Abdul Wahed, Maulvi. [Mymensingh East (Muhammadan).]
*Abdulla-Al Mahmood, Mr. [Serajganj North (Muhammadan).]
*Abdur Rahman, Khan Bahadur A. F. M. [24-Parganas North-East (Muhammadan).]
Abdur Rahman Siddiqi, Mr. (Muslim Chamber of Commerce.)
Abdur Rasheed, Maulvi Md. [Birbhum (Muhammadan).]

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*Parliamentary Secretary.

Abdur Raschid Mahmood, Mr. [Serajganj North (Muhammadan).]
Abdur Rauf, Khan Bahadur Maulvi S. [Howrah (Muhammadan).]
Abdur Rauf, Khan Bahadur Shah. [Rangpur South (Muhammadan).]
Abdur Razzak, Maulvi. [Feni (Muhammadan).]
Abdus Shaheed, Maulvi Md. [Dacca North Central (Muhammadan).]
Abidur Reza Chowdhury, Khan Bahadur Maulvi. [Chandpur West (Muhammadan).]
Abu Hossain Sarkar, Maulvi. [Gaibandha North (Muhammadan).]
Abul Fazl, Mr. Muhammad. [Madaripur West (Muhammadan).]
Abul Hashim, Maulvi. [Burdwan (Muhammadan).]
Abul Hosain Ahmed, Mr. [Netrokona North (Muhammadan).]
Abul Masud, Maulvi Kazi. [Nator (Muhammadan).]
Abul Quasem, Maulvi. [Hooghly (Muhammadan).]
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh. (Dacca Landholders.)
Aftab Ali, Mr. (Water Transport Trade Union.)
Ahmed Ali Enayetpuri, Khan Bahadur Maulana. [Jhenidah (Muhammadan).]
Ahmed Ali Mridha, Maulvi. [Goalundo (Muhammadan).]
Ahmed Hosain, Mr. [Gaibandha South (Muhammadan).]
Ahmed Khan, Mr. Syed. [Noakhali South (Muhammadan).]
Alfazuddin Ahmed, Khan Bahadur Maulvi. [Midnapore (Muhammadan).]
Aminullah, Khan Sahib Maulvi. [Noakhali Central (Muhammadan).]
Amir Ali Mia, Maulvi Md. [Rajshahi South (Muhammadan).]
Anwarul Azim, Khan Bahadur Md. [Chittagong South (Muhammadan).]
Asimuddin Ahmed, Mr. [Tippera Central (Muhammadan).]
Aulad Hossain Khan, Khan Bahadur Maulvi. [Manikganj East (Muhammadan).]
Azhar Ali, Maulvi. [Pabna East (Muhammadan)]

B

Badi Ahmed Choudhury, Khan Bahadur, Haji. (Chittagong Landholders.)
Badrudduja, Mr. Syed. [Berhampore (Muhammadan).]
Banerjee, Mr. Pramatha Nath. [Burdwan North-West (General).]
Banerjee, Mr. Sibnath. [Howrah (Registered Factories).]
Banerjee, Dr. Suresh Chandra. [Calcutta and Suburbs (Registered Factories).]
Banerji, Mr. P. [24-Parganas North-West (General).]
Banerji, Mr. Satya Priya. [Rajshahi (General).]
Barat Ali, Mr. Mohammad. [Serajganj Central (Muhammadan).]
Barma, the Hon'ble Mr. Premhari. [Dinajpur (General).]
Barma, Mr. Puspajit. [Rangpur (General).]
Barman, Babu Shyama Prosad. [Dinajpur (General).]
Barman, Mr. Upendra Nath. [Jalpaiguri *cum* Siliguri (General).]

Basu, Mr. Jatindra Nath. [Calcutta North (General).]
Basu, Mr. Santosh Kumar. [Calcutta East (General).]
Bell-Hart, Miss P. B. (Anglo-Indian Constituency.)
Bhowmik, Dr. Gobinda Chandra. [Midnapore East (General).]
Birkmyre, Sir Henry, Bart. [Hooghly *cum* Howrah (European).]
Biswas, Babu Lakshmi Narayan. [Nadia (General).]
*Biswas, Mr. Rasik Lal. [Jessore (General).]
Biswas, Mr. Surendra Nath. [Faridpur (General).]
Bose, Mr. Sarat Chandra. [Calcutta South (General).]

C

*Chakrabarty, Mr. Jatindra Nath. [Rangpur (General).]
Chakrabarty, Babu Narendra Narayan. [Bogra *cum* Pabna (General).]
Chattopadhyay, Mr. Haripada. [Nadia (General).]
Chaudhuri, Rai Harendra Nath. [24-Parganas Municipal (General).]
Chippendale, Mr. J. W. (Anglo-Indian.)
Clark, Mr. I. A. [Burdwan Division (European).]

D

Das, Babu Radha Nath. [Hooghly North-East (General).]
*Das, Rai Sahib Anukul Chandra. [24-Parganas North-West (General).]
Das, Rai Sahib Kirit Bhusan. [Murshidabad (General).]
Das, Mr. Monomohan. [Mymensingh East (General).]
Dass, Babu Debendra Nath. [Birbhum (General).]
Das Gupta, Babu Khagendra Nath. [Jalpaiguri *cum* Siliguri (General).]
Das Gupta, Dr. J. M. [Calcutta Central (General).]
Das Gupta, Srijut Narendra Nath. [Bakarganj South-West (General).]
Datta, Mr. Dhirendra Nath. [Tippera (General).]
Dolui, Mr. Harendra Nath. [Jhargram *cum* Ghatal (General).]
Dutt, Mr. Sukumar. [Hooghly South-West (General).]
Dutta Gupta, Miss Mira. [Calcutta General (Women).]
Dutta Mazumdar, Mr. Niharendu. [Barrackpore (Registered Factories).]

E

Edbar, Mr. Upendranath. [Bakarganj South-West (General).]
Emdadul Haque, Kazi. [Kurigram North (Muhammadan).]

F

Farhad Raza Chowdhury, Mr. M. [Jangipur (Muhammadan).]
Farhat Bano Khanam, Begum. [Dacca (Muhammadan) Women.]
Fazlul Huq, Mr. A. K. [Patuakhali North (Muhammadan).]
Fazlul Qadir, Khan Bahadur Maulvi. [Chittagong North-West (Muhammadan).]
Fazlur Rahman, Mr. [Jamalpur East (Muhammadan).]
*Fazlur Rahman, Mr. (Dacca University.)

*Parliamentary Secretary.

G

Ganguly, Mr. Pratul Chandra. [East Bengal Municipal (General).]
Ghose, Mr. Atul Krishna. [Jessore (General).]
Giasuddin Ahmed, Mr. [Jamalpur West (Muhammadan).]
Gladding, Mr. D., C.I.E. [Bengal Chamber of Commerce.]
Golam Rabbani Ahammad, Maulvi. [Dinajpur Central West (Muhammadan).]
Golam Sarwar Hosaini, Mr. Shah Syed. [Ramganj *cum* Raipur (Muhammadan).]
Gomes, Mr. R. A. [Dacca Division (Indian Christian).]
Goswami, the Hon'ble Mr. Tulsi Chandra. [Burdwan Division North Municipal (General).]
Griffiths, Mr. C. (Anglo-Indian.)
Gupta, Mr. Jogesh Chandra. [Calcutta South Central (General).]
Gupta, Mr. J. N. [Railway Trade Union (Labour).]
Gurung, Mr. Damber Singh. [Darjeeling (General).]
Gyasuddin Ahmed Choudhury, Al-Hadj. [Madaripur East (Muhammadan).]

H

Habibullah, Nawab Bahadur K., of Dacca. [Dacca Municipal (Muhammadan).]
Hafizuddin Choudhuri, Maulvi. [Thakurgaon (Muhammadan).]
*Hamiduddin Ahmad, Khan Sahib. [Kishoreganj East (Muhammadan).]
Hamilton, Mr. K. A. (Calcutta Trades Association.)
Hasan Ali Chowdhury, Mr. Syed. [Tangail North (Muhammadan).]
Hasanuzzaman, Khan Sahib Maulvi Md. [Tippera South (Muhammadan).]
Hashem Ali Khan, Khan Bahadur Maulvi. [Bakarganj North (Muhammadan).]
Hasina Murshed, Mrs., M.B.E. [Calcutta (Muhammadan) Women.]
Hatemally Jamadar, Khan Sahib Maulvi. [Pirojpur South (Muhammadan).]
Haywood, Mr. Rogers. (Bengal Chamber of Commerce.)
Hendry, Mr. David. (Bengal Chamber of Commerce.)
Hirtzel, Mr. M. A. F., O.B.E. (Bengal Chamber of Commerce.)
Hodge, Mr. H. Rowan. (Bengal Chamber of Commerce.)

I

Idris Ahmed Mia, Mr. [Malda South (Muhammadan).]
Ispahani, Mr. M. A. H., M.B.E. [Calcutta South (Muhammadan).]

J

Jalaluddin Ahmad, the Hon'ble Khan Bahadur Maulvi. [Cox's Bazar (Muhammadan).]
**Jalaluddin Hashemy, Mr. Syed. [Satkhira (Muhammadan).]

*Parliamentary Secretary.
**Deputy Speaker, Bengal Legislative Assembly.

Jalan, Mr. I. D. [Calcutta West (General).]
Jasimuddin Ahmed, Khan Bahadur Maulvi. [24-Parganas South (Muhammadan).]
Jonab Ali Majumdar, Maulvi. [Chandpur East (Muhammadan).]

K

Kabiruddin Khan, Khan Bahadur Maulvi. [Netrokona South (Muhammadan).]
Kazem Ali Mirza, Sahibzada Kawan Jah Syed. [Murshidabad South-West (Muhammadan).]
Kennedy, Mr. I. G. (Indian Jute Mills Association.)
Khaitan, Mr. Debi Prosad. (Indian Chamber of Commerce.)
Khan, Mr. Debendra Lall. [Midnapore Central (General).]
*Kumar, Mr. Atul Chandra. [Malda (General).]
Kundu, Mr. Nishitha Nath. [Dinajpur (General).]

L

Lahiri, Babu Ashutosh. [North Bengal Municipal (General).]
Leisk, Mr. John. [Calcutta and Suburbs (European).]

M

MacGregor, Mr. G. G. (Indian Tea Association.)
MacPherson, Mr. G. P. [Rajshahi Division (European).]
Mafizuddin Ahmed, Dr. [Bogra North (Muhammadan).]
*Mafizuddin Ahmed, Khan Sahib Maulvi. [Tippera North (Muhammadan).]
Maguire, Mr. L. T. (Anglo-Indian.)
Mahtab, Maharajadhiraja Bahadur Uday Chand, of Burdwan. [Burdwan Central (General).]
Maiti, Mr. Nikunja Behari. [Midnapore South-East (General).]
Maji, Mr. Adwaita Kumar. [Burdwan Central (General).]
Majumdar, Mrs. Hemaprova. [Dacca (General) Women.]
Majumdar, Babu Jnanendra Chandra. [Mymensingh East Rural (General).]
Mal, Mr. Iswar Chandra. [Midnapore South-West (General).]
Mandal, Mr. Amrita Lal. [Mymensingh West (General).]
*Mandal, Mr. Banku Behari. [Burdwan North-West (General).]
Mandal, Mr. Birat Chandra. [Faridpur (General).]
Mandal, Mr. Jagat Chandra. [Tippera (General).]
Mandal, the Hon'ble Mr. Jogendra Nath. [Bakarganj North-East (General).]
Mandal, Mr. Krishna Prasad. [Midnapore Central (General).]
Maniruddin Akhand, Maulvi. [Rajshahi North (Muhammadan).]
Maniruzzaman Islamabadi, Maulana Md. [Chittagong South Central (Muhammadan).]
Maqbul Hosain, Mr. [Tippera North-East (Muhammadan).]

*Parliamentary Secretary.

Masud Ali Khan Panni, Al-Hadj Maulvi. [Tangail South (Muhammadan).]
Miles, Mr. C. W. (Indian Tea Association.)
*Mohammed Ali, Khan Bahadur. [Bogra West (Muhammadan).]
Mohsin Ali, Mr. Md. [Meherpur (Muhammadan).]
Mookerjee, Dr. Syamaprasad. (Calcutta University.)
Morgan, Mr. G., C.I.E. [Presidency Division (European).]
Moslem Ali Mollah, Maulvi M. [Rajshahi Central (Muhammadan).]
Mozammel Huq, Maulvi Md. [Bhola North (Muhammadan).]
Muhammad Abdul Halim Molla, Mr. [Nadia West (Muhammadan).]
Muhammad Afzal, Khan Bahadur Maulvi Syed. [Pirojpur North (Muhammadan).]
Muhammad Ibrahim, Maulvi. [Noakhali North (Muhammadan).]
Muhammad Ishaque, Maulvi. [Bogra South (Muhammadan).]
Muhammad Israil, Maulvi. [Kishoreganj South (Muhammadan).]
Muhammad Siddique, Khan Bahadur Dr. Syed. [Bankura (Muhammadan).]
Muhammad Solaiman, Khan Bahadur Maulvi. [Barrackpore Municipal (Muhammadan).]
Mukerjea, the Hon'ble Mr. Taraknath, M.B.E. (Burdwan Landholders' Constituency.)
Mukerji, Mr. Dhirendra Narayan. (Hooghly North-East.)
Mukherjee, Mr. B. [Colliery (Coal Mines) (Labour).]
Mukherji, Dr. H. C. [Calcutta *cum* Presidency Division (Indian Christian).]
Mukherji, Dr. Sharat Chandra. [Birbhum (General).]
Mullick, Srijut Ashutosh. [Bankura West (General).]
Mullick, Mr. Mukunda Behari. [Khulna (General).]
Mullick, the Hon'ble Mr. Pulin Behary. [Howrah (General).]
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur. [Jalpaiguri *cum* Darjeeling (Muhammadan).]
Mustagawsal Haque, Mr. Syed. [Bagerhat (Muhammadan).]
Mustafa Ali Dewan, Maulvi. [Brahmanbaria North (Muhammadan).]

N

Nandy, Maharaja Srischandra, of Cossimbazar. (Presidency Landholders.)
*Nasarullah, Nawabzada K. [Brahmanbaria South (Muhammadan).]
Nasker, Mr. Hem Chandra. [24-Parganas South-East (General).]
**Nausher Ali, the Hon'ble Mr. Syed. [Jessore Sadar (Muhammadan).]
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E. [Calcutta North (Muhammadan).]
Nooruddin, Mr. K. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Norton, Mr. H. R., M.B.E. (Calcutta Trades Association.)

P

Pain, the Hon'ble Mr. Barada Prosanna. [Hooghly *cum* Howrah Municipal (General).]

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*Parliamentary Secretary.
**Speaker, Bengal Legislative Assembly.

Paul, Sir Hari Sankar. (Bengal National Chamber of Commerce.)
Poddar, Mr. Anandilall. (Marwari Association.)
Powell, Mr. J. A. [Calcutta and Suburbs (European).]
Pramanik, Mr. Tarinicharan. [Malda (General).]

R

Rahman, Khan Bahadur A. M. L. [Rajshahi Central (Muhammadan).]
Raikut,* Mr. Prasanna Deb. [Jalpaiguri *cum* Siliguri (General).]
Rajibuddin Tarafdar, Maulvi. [Bogra East (Muhammadan).]
Razimuddin Ahmed, Mr. [Tippera West (Muhammadan).]
Razaur Rahman Khan, Mr. [Dacca South Central (Muhammadan).]
Roy, Mr. Charu Chandra. [Mymensingh West (General).]
Roy, Mr. Dhananjoy. [Dacca East (General).]
Roy, Mr. Kamalkrishna. [Bankura East (General).]
Roy, Mr. Kiran Sankar. [Dacca West (General).]
Vacant. [Jhargram *cum* Ghatal (General).]
Roy, Mr. Manmatha Nath. [Howrah (General).]
Roy, Mr. Patiram. [Khulna (General).]
Roy Kumar Shib Shekhareswar. (Rajshahi Landholders.)

S

Sadaruddin Ahmed, Mr. [Bakarganj South (Muhammadan).]
Safiruddin Ahmed, Haji. [Rangpur North (Muhammadan).]
Sahabe Alum, Mr. Syed. [Dacca Central (Muhammadan).]
Salim, Mr. S. A. [Narayanganj North (Muhammadan).]
Sanaullah, Dr. [Chittagong North-East (Muhammadan).]
Sanyal, Dr. Nalinaksha. [Presidency Division Municipal (General).]
Sanyal, Mr. Sasanka Sekhar. [Murshidabad (General).]
Sarker, Babu Madhusudan. [Bogra *cum* Pabna (General).]
Sen, Mr. Atul Chandra. [Dacca East (General).]
Sen, Mr. Dhirendra Nath. (Bengal National Chamber of Commerce.)
Sen, Rai Bahadur Jogesh Chandra. [24-Parganas South-East (General).]
Sen, Babu Nagendra Nath. [Khulna (General).]
Sen Gupta, Mrs. Nellie. [Chittagong (General).]
*Serajul Islam, Mr. [Bongaon (Muhammadan).]
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E. [Narayanganj South (Muhammadan).]
Shahedali, Mr. [Matlabbazar (Muhammadan).]
Shamsuddin Ahmed, Mr. [Kusthia (Muhammadan).]
Shamsuddin Ahmed Khondkar, Mr. [Gopalganj (Muhammadan).]
Shamsul Huda, Maulana. [Mymensingh South (Muhammadan).]
Singha, Babu Kshetra Nath. [Rangpur (General).]
Sinha, Srijut Manindra Bhusan. [Bankura West (General).]
Sirdar, Babu Litta Munda. [Bengal Dooars (Western) Tea Garden Labour.]
Skipwith, Mr. W. E. [Calcutta and Suburbs (European).]
Smart, Mr. J. N. [Dacca (European).]

*Parliamentary Secretary.

Smyth-Osbourne, Mr. D. G. [Darjeeling (European).]
Stark, Mr. A. F. [Calcutta and Suburbs (European).]
Suhrawardy, the Hon'ble Mr. H. S. [24-Parganas Municipal (Muhammadan).]
Sur, Mr. Harendra Kumar. [Noakhali (General).]

T

Tamizuddin Khan, the Hon'ble Mr. [Faridpur West (Muhammadan).]
Thakur, Mr. Promatha Ranjan. [Faridpur (General).]
Thorman, Mr. C. M. [Chittagong Division (European).]
Tofel Ahmed Choudhury, Maulvi Haji. [Bhola South (Muhammadan).]

W

Waliur Rahman, Maulvi. [Jessore East (Muhammadan).]
Walker, Mr. J. R. (Bengal Chamber of Commerce.)
Walker, Mr. W. A. M., C.B.E. (Indian Jute Mills Association.)
Whitehead, Mr. R. B. (Indian Mining Association.)
Wordsworth, Mr. W. C., C.I.E. (Bengal Chamber of Commerce.)

Y

Yousuf Mirza. [24-Parganas Central (Muhammadan).]
*Yusuf Ali Choudhury, Mr. [Faridpur East (Muhammadan).]

Z

Zahur Ahmed Choudhury, Maulvi. [Malda North (Muhammadan).]
Zaman, Mr. A. M. A. [Hooghly *cum* Serampore (Registered Factories) Labour.]
Zillur Rahman Shah Chowdhury, Maulvi. [Balurghat (Muhammadan).]

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*Parliamentary Secretary.

THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

Official Report of the Eighteenth Session.

Volume LXVII—No. 1.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 1st February, 1944, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI) in the Chair, 12 Hon'ble Ministers and 171 members.

Oath.

The following members made an oath or affirmation of their allegiance to the Crown :—

(1) Mr. John Nelson Smart.

(2) Khan Bahadur Haji Badi Ahmed Chaudhury

Obituary.

Mr. SPEAKER: Ladies and Gentlemen, before we proceed with the business of the House it is my sad duty to refer to the death of Sir John Arthur Herbert, G.C.I.E., the late Governor of Bengal, of Mr. Kishoripati Roy, a sitting member of the Assembly, and of Khan Sahib Maulvi Abul Quasem, a sitting member of the Bengal Legislative Council.

Sir John Arthur Herbert was elected a member of the House of Commons in 1934. He was Private Secretary to the Parliamentary Secretary to the Admiralty in 1935 and to the Under-Secretary for India in 1936 and was then appointed Assistant Government Whip. He assumed office as Governor of Bengal in November, 1939, and served her during a most critical period of her history when Japan was practically knocking at her door after conquering Burma. The war time problems must have told heavily on his health and he fell ill on the 31st August, 1943, relinquished his office as Governor on the 6th September, 1943, and died on the 11th December, 1943. His death in India under very exceptional circumstances will be a memorable event.

Mr. Kishoripati Roy who represented the Jhargram *cum* Ghatal General Constituency of the Midnapore District, died on the 15th December, 1943. His selfless services to the cause of the motherland won for him profound respect and admiration of his countrymen

Khan Sahib Maulvi Abul Quasem died on the 29th January, 1944, at a comparatively early age. His death has cut short a promising career. He was an elected member of the old Council. He held many public offices and was a sincere and devoted worker. He was a lovable personality and he will be remembered as a type by himself.

I feel it my duty to send messages of sympathy to the bereaved families and I hope members will signify their assent by rising in their seats.

(Members rose in their seats.)

Thank you, ladies and gentlemen. Secretary will take necessary action.

Panel of Chairmen.

Mr. SPEAKER: In accordance with the provisions of rule 6 of the Bengal Legislative Assembly Procedure Rules, I nominate the following members of the Assembly to form a panel of four Chairmen for the ensuing session :—

(1) Mr. A. K. Fazlul Huq,

(2) Mr. Kiran Sankar Roy,

(3) Mr. David Hendry, and

(4) Mr. Hem Chandra Nasker

unless otherwise arranged, the senior member among them present in the above order will preside over the deliberations of this Assembly in my absence and in the absence of the Deputy Speaker.

STARRED QUESTIONS

(to which oral answers were given)

Point of Order.

(After the question had been called and before Mr. Atul Chandra Kumar, Parliamentary Secretary, read the answer.)

Dr. NALINAKSHA SANYAL: On a point of order, Sir. I would like to know before my honourable friend replies if this answer is on behalf of Government or is his personal answer?

Mr. ATUL CHANDRA KUMAR: On behalf of Government.

Dr. NALINAKSHA SANYAL: May I invite your attention, Sir, to the Secretariat Manual, 1941, which lays down that in case of any answer on behalf of Government it has to be so stated. This matter was referred to you in the past and we submitted that in future the practice should be revised.

Mr. SPEAKER: I remember my promise to look into this affair and this is the time when I intend to look into it in consultation with the leaders of

parties. The rules are somewhat vague and indefinite on this point. I have gone through this matter and I shall call a conference of the leaders and shall decide it.

Dr. NALINAKSHA SANYAL: I submit that so far as the position of Parliamentary Secretaries in regard to answers is concerned you will be pleased to look into the matter later on, but at the present moment there is existing a set of rules for the guidance both of the Minister in charge as well as of Parliamentary Secretaries as to the manner in which replies have to be given. And it has been there laid down that in case the Parliamentary Secretary chooses to reply or the Minister in charge waives his right to reply, then the Parliamentary Secretary will have to reply in a particular form, but the printed notice does not show that form. I hope the Parliamentary Secretary will follow that form; otherwise, it would not be a reply on behalf of Government.

Mr. SPEAKER: I have myself looked into these rules in the Secretariat Manual to which you have drawn the attention of the Parliamentary Secretary; and I hope his reply will be worded accordingly.

Damages caused by breaches in certain embankments in Contai subdivision.

*1. **Mr. ISWAR CHANDRA MAL:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state whether it is a fact that—

(*i*) there were breaches in the Amarshi embankment;

(*ii*) large parts of Contai subdivision, district Midnapore, were heavily flooded in the years 1913, 1926 and 1940 as a result thereof;

(*iii*) there were breaches in the Bhograi embankment;

(*iv*) large parts of the subdivision were heavily flooded in the year 1913;

(*v*) heavy losses to the crops, cattle and houses were caused repeatedly by the flood in the subdivision; and

(*vi*) there are two breaches in Amarshi embankment, one breach in the Jalamutha and a few breaches in the Bhograi embankment causing heavy flood in large parts of the same subdivision this year 1943?

(*b*) If the answers to (*a*) (*i*) to (*v*) are in the affirmative, will the Hon'ble Minister be pleased to state the steps, if any, taken by the Government to stop floods?

(*c*) If the answer to (*a*) (*vi*) is in the affirmative, will the Hon'ble Minister be pleased to state the extent of—

(*i*) the area of devastation in each thana of the Contai subdivision;

(*ii*) the damage of crops;

(*iii*) the loss of cattle; and

(*iv*) the collapses of houses?

(*d*) Will the Hon'ble Minister be pleased to state whether there had been any breach in the Jalamutha embankment in any other year previous to this year?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons, the gauge indication at Amgachia before this year's flood?

(*f*) Will the Hon'ble Minister be pleased to state the causes for the breach in the Jalamutha embankment?

(*g*) Will the Hon'ble Minister be pleased to state what action, if any, he proposes to take in the matter?

Mr. ATUL CHANDRA KUMAR (on behalf of the Hon'ble Mr. Barada Prasanna Pain): (*a*) (*i*) to (*iv*) Yes.

(*v*) No, not repeatedly. Loss to crops and damage to houses occurred in 1913, 1926 and 1940. There were some casualties among cattle in 1913 and 1926 only.

(*vi*) Yes, except that there was one breach only in the Amarshi embankment.

(*b*) Regarding flood in the river Kaliaghye, on which the Amarshi embankment stands, the bed of the river where it was most constricted has been widened by removal of marginal chak bunds and zemindary bunds with a view to avoiding breaches in the embankment as far as possible.

The river Subarnarekha on which the Bhograi embankment stands is situated within the Province of Orissa. The embankment was overtopped and breached in many places by very high floods of the river during the year 1943. The Government of Orissa have decided that the embankment should be repaired and restored. It has been reported that partial repairs have already been done and survey and investigation have been undertaken by that Government with a view to devising flood protection measures against the flood of the river.

(*c*) (*i*) Parts of Ramnagar, Egra, Contai, Potashpur and Bhagwanpur thanas were inundated.

The area in each thana is not available at present.

(*ii*) Crops of about 60 per cent. of the area inundated were damaged.

(*iii*) No report about loss of cattle has been received.

(*iv*) Some 500 (more or less) *kutcha* houses were damaged.

(*d*) No, not at least within the last 30 years.

(*e*) Does not arise.

(*f*) Due to sudden and record-breaking flood in the river Kaliaghye in 1943, the Makramichak bund, constructed just before the last flood season which was masking the S. D. Jalamutha embankment, was breached, and water rushed to the Jalamutha embankment and caused a breach in it.

(*g*) The river Kaliaghye has been widened by removing certain chak bunds in the narrowest portion with the object of relieving flood congestion.

Dr. NALINAKSHA SANYAL: Will my honourable friend be pleased to state what he intends to convey by the reply "not repeatedly", which is followed by at least three repeated cases of loss to crops admitted by himself in his answer (*a*)(*v*)?

Mr. ATUL CHANDRA KUMAR: There have been only three cases so far during 30 years and therefore I have said, "No, not repeatedly".

Dr. NALINAKSHA SANYAL: With reference to answer (*g*), will my honourable friend be pleased to state when the Kaliaghye River Improvement Scheme under the Irrigation budget was approved of, money was sanctioned for the same and when the actual work was completed?

Mr. ATUL CHANDRA KUMAR: I ask for notice.

Dr. NALINAKSHA SANYAL: Will my friend be pleased to state if he is aware that the improvement of the Kaliaghye river was provided for in the budget of 1938-39 but money was not spent in that year and that three years afterwards the work was undertaken, and that the river has since deteriorated as a result of the past heavy cyclone and floods in Midnapore?

Mr. ATUL CHANDRA KUMAR: I am not aware.

Dr. NALINAKSHA SANYAL: Will my honourable friend be pleased to state if Government have taken any steps after the last floods to improve the condition of the Kaliaghye river at least with the object of relieving flood congestion as has been suggested in his answer (*g*)?

Mr. ATUL CHANDRA KUMAR: Government are undertaking measures with the object of relieving flood congestion.

Invitation of tenders for the supply of rice by the District Magistrate, Tippera.

***2. Mr. MAQBUL HOSSAIN:** (*a*) Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to state whether it is a fact that—

(*i*) the District Magistrate, Tippera, invited tenders from different contractors to supply 5,000 maunds of fine and coarse rice by the 15th June, 1943;

(*ii*) *bona fide* contractors submitted sealed tenders timely; and

(*iii*) the houses of several contractors who submitted tenders were searched by the Police?

(*b*) If the answer to (*a*)(*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the names and addresses of the contractors whose houses were searched; and

(*ii*) the reason thereof?

MINISTER in charge of the CIVIL SUPPLIES DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) Yes.

(*b*) (*i*) The premises of the following contractors were ordered to be searched:—

(1) M. Zillur Rahman.

(2) Abdul Hamid *alias* Abu Miah and Rebati Mohan Chaudhury.

(3) Roy Company, Comilla.

(4) T. Basu and R. Bhowmik, Noakhali.

(5) Babu Rohini Kanta Datta, Comilla.

(6) M. Ali Ahmed Khan, Idgan Road, Brahmanbaria.

(*ii*) The searches were made in the ordinary course during the food drive in order to ascertain stocks.

Food Committees in the affected districts of Bengal.

*3. **Mr. ADWAITA KUMAR MAJI:** (*a*) Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to state—

(*i*) whether Food Committees have been formed in every affected district in Bengal; and

(*ii*) have their work been found to be satisfactory?

(*b*) If the answer to (*a*) (*i*) be in the negative, do Government contemplate setting up new Committees?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) (*i*) Yes.

(*ii*) On the whole, yes.

(*b*) When Food Committees are found to be unsatisfactory, they can be reconstituted.

Instructions on that behalf are under issue.

Mr. ATUL CHANDRA SEN: With reference to answer (*b*), may I take it that among the instructions issued there will be one enjoining that the committees should be representative of all classes and communities?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state the functions which the Food Committees are doing at the present time?

The Hon'ble Mr. H. S. SUHRAWARDY: May I submit, Sir, that this question does not arise. In the instructions that were issued all the functions have been given in detail.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether it is one of the functions of these committees to supply foodgrains to the poorer section of the people at a cheaper rate?

The Hon'ble Mr. H. S. SUHRAWARDY: That is not one of the functions.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether there is any machinery in the Writers' Buildings to find out what work is being done by these so-called Food Committees?

The Hon'ble Mr. H. S. SUHRAWARDY: There is a machinery in Anderson House.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether he is aware that in some districts no such committees are functioning?

The Hon'ble Mr. H. S. SUHRAWARDY: I am not aware of that. Officers of Government have been asked in particular to see that Food Committees are formed and function.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to consider the desirability, after all these interpellations, of issuing instructions immediately asking the District Officers to send information as to whether in their respective districts such Food Committees have been formed, and if so, what functions are being done by them?

The Hon'ble Mr. H. S. SUHRAWARDY: Such a *questionnaire* has already been issued.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state if he is aware that among the instructions issued by Mr. Ishaque, Special Officer, there was one like this, that arrangements will be made for supplying foodgrains to the poorer section of the people at cheap rate through these Food Committees.

The Hon'ble Mr. H. S. SUHRAWARDY: Kindly read that as a whole. It is one of the functions of Government to supply foodgrains at cheap rates to the public where Government consider it necessary to do so. So far as the Food Committees are concerned, we have recommended that they should accept the responsibility of becoming retailers if they can do so; and if they can, so much the better, and we shall be glad to supply them with foodgrains.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what arrangements have so far been made for supplying foodgrains to the poorer section of the people at a cheap rate in view of the fact that prices of foodgrains are rising higher?

Mr. SPEAKER: That is too vague and comprehensive a question to be answered. I cannot allow it.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether Government would like to entrust these committees with any active function, or would these committees be merely advisory bodies?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, Sir, I am most anxious to see that these committees do perform some active functions.

Mr. SASANKA SEKHAR SANYAL: What instructions have been issued to the district authorities for making these committees active and not merely advisory bodies?

The Hon'ble Mr. H. S. SUHRAWARDY: Instructions have been circulated and are being acted upon and fresh instructions are under issue.

Disposal of dead bodies in Chittagong district.

***4. Dr. SANAULLAH:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that human corpses lying uncared for are being eaten up by jackals and vultures in the mufassal areas, specially in the Chittagong district (Boalkhal and other thanas)?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of—

(*i*) issuing instructions to all thana officers and circle officers for the speedy disposal of the dead bodies; and

(*ii*) placing a certain sum at their disposal for the purpose?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) and (*b*) No information regarding any corpse lying uncared for and being eaten up by jackals and vultures in the mufassal areas of the Chittagong district has been received. Dead bodies were however found in certain areas, at the time the question was asked, and these were disposed of with the help of the police, the municipalities and the local organisations. A sum of Rs. 23,000 has been paid by the Chittagong Municipality to those who volunteered to do the work; no allotment to thana and circle officers for the purpose appeared to be necessary.

Supply of diet and clothing to Division III prisoners.

***5. Mr. HARENDRA KUMAR SUR:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that—

(*i*) the diet allowed to Division III prisoners is deficient in protein, oils, spices, etc.; and

(*ii*) this affects the health of the prisoners?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of improving the diet of these prisoners?

(*c*) Is the Hon'ble Minister aware of the fact that clothings and beddings supplied to Division III prisoners are insufficient specially during the winter?

(*d*) Is it a fact that—

(*i*) undertrial and Division III prisoners are not allowed to use their own sandals or shoes;

(*ii*) such persons suffer inconvenience and loss of health for not using sandals or shoes; and

(*iii*) they are not allowed mosquito curtains even at their own cost?

(*e*) Is it a fact that mosquito curtains are not allowed even in jail hospitals?

(*f*) Is it a fact that—

(*i*) Division III prisoners are not allowed any mug;

(*ii*) they have to use the same cup for drinking, eating and latrine purposes; and

(*iii*) literate Division III prisoners are not allowed newspapers?

(*g*) If the answers to (*c*) to (*f*) are in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, he proposes to take for removal of these grievances?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*)(*i*) and (*b*) The matter is under consideration of the Inspector-General of Prisons, Bengal, who is making necessary enquiries.

(*a*)(*ii*) No.

(*c*) and (*d*)(*i*) No.

(*ii*) Does not arise.

(*iii*), (*e*) and (*f*)(*i*) and (*ii*) No.

(*f*)(*iii*) Well-behaved Division III literate prisoners are allowed to read weekly newspaper *Banglar Katha*.

(*g*) Does not arise.

Mr. HARENDRA KUMAR SUR: Will the Hon'ble Minister consider the desirability of taking expert opinion as to whether the rice allowed at present to Division III prisoners does not affect the health of the prisoners?

The Hon'ble Khwaja Sir NAZIMUDDIN: As far as this specific question is concerned, the food that is provided to these prisoners is the diet which they are accustomed to and which is the diet practically taken by all people of that class. The whole question as to whether any increase in the diet is necessary or whether improvements are required is an all-India question which is being considered and no decision has yet been taken on that.

Mr. ATUL CHANDRA SEN: With reference to answer (*f*)(*iii*) will Government consider the desirability of allowing the prisoners in question to read some other vernacular papers besides the *Banglar Katha* which is the wretched rag of the Writers' Buildings?

Khan Bahadur MOHAMMED ALI: That is an objectionable question and is not strictly a question.

Mr. SPEAKER: The last part of the question is not of course relevant, but there is the question whether prisoners should be allowed to read some other newspapers.

The Hon'ble Khwaja Sir NAZIMUDDIN: I have got nothing further to add.

Dr. NALINAKSHA SANYAL: With reference to answer (*d*)(*i*) where the answer is "No" to the question if it is a fact that undertrial and Division III prisoners are not allowed to use their own sandals or shoes, will the Hon'ble Minister be pleased to make it clear whether he means by the answer that they are allowed to use sandals or shoes?

The Hon'ble Khwaja Sir NAZIMUDDIN: "No" means "no, it is not a fact".

Dr. NALINAKSHA SANYAL: May I enquire from the Hon'ble Minister if it is a fact that Division III prisoners—I am taking the two separately—undertrials and Division III prisoners are combined and I am specifically taking the question about Division III prisoners—whether Division III prisoners are allowed the use of sandals?

The Hon'ble Khwaja Sir NAZIMUDDIN: As far as I am aware that is so—they are allowed.

Dr. NALINAKSHA SANYAL: With reference to the answer (*f*) (*iii*) "No" to the question whether it is a fact that they have to use the same cup for drinking, eating and latrine purposes, will the Hon'ble Minister be pleased to state the source of that information that they are given different or separate cups for drinking, eating and latrine purposes?

The Hon'ble Khwaja Sir NAZIMUDDIN: The Inspector-General of Prisons.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state how many mugs or cups are allowed per prisoner?

Mr. SPEAKER: He cannot possibly give the number.

Dr. NALINAKSHA SANYAL: I am asking the Hon'ble Minister whether it is not a fact that only one is given which is an omnibus instrument for all such purposes.

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice regarding the number.

Mr. SURENDRA NATH BISWAS: With reference to answer (*d*)(*iii*) is it the case of the Hon'ble Minister that undertrial and Division III prisoners are allowed mosquito curtains at their own cost?

The Hon'ble Khwaja Sir NAZIMUDDIN: The Superintendents of jails have been allowed discretion in this matter and whenever they are satisfied that there will be no abuse of this privilege, the prisoners are allowed to use them.

Rai HARENDRA NATH CHAUDHURI: With reference to answer (*a*), will the Hon'ble Minister be pleased to state how long is the matter under the consideration of the Inspector-General of Prisons?

The Hon'ble Khwaja Sir NAZIMUDDIN: It has been for some time now —since July, 1943. It has been referred to the Director of the All-India Institute of Hygiene with regard to this technical question.

Rai HARENDRA NATH CHAUDHURI: When was the reference made?

The Hon'ble Khwaja Sir NAZIMUDDIN: July, 1943.

Rai HARENDRA NATH CHAUDHURI: Since that date no answer has been received?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not say that no answer has been received. It is under consideration, as I have said.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to tell the House whether the answer "No" to (*d*)(*iii*) means that it is an additional punishment to the prisoners in jail and with that view mosquito curtains are not being allowed to them?

Mr. SPEAKER: What is your question? I have not followed it.

Mr. CHARU CHANDRA ROY: The Hon'ble Minister has given discretion to Superintendents about mosquito curtains. My point is whether the bitings of mosquitoes on the prisoners are considered as an additional punishment by Government?

Mr. SPEAKER: That is no question.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us if there is any rule regarding the use of sandals or shoes by Division III prisoners?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. DHIRENDRA NATH DATTA: We can say from our own experience that Division III prisoners are not allowed the use of sandals or shoes. In view of this information, will the Hon'ble Minister be pleased to consider the desirability of making an enquiry into the matter and find out that, as a matter of fact, they are not allowed the use of sandals and shoes?

The Hon'ble Khwaja Sir NAZIMUDDIN: I will certainly have it enquired into in view of the information given by the honourable member.

Dr. NALINAKSHA SANYAL: With reference to answer (*d*) (*iii*), am I to take it that the answer "No" refers to the fact being incorrect that mosquito curtains are not allowed even at their own cost because I asked this question previously with reference to answer (*d*) (*i*)? With reference to answer (*d*) (*iii*), it has been said that they are not allowed mosquito curtains even at their own cost. What is the real import of the answer "No"? Are they allowed or are they not allowed?

The Hon'ble Khwaja Sir NAZIMUDDIN: As far as (*d*) (*i*) is concerned and as far as undertrial prisoners are concerned, I may make it quite clear that whatever is supplied at their own cost, they are allowed to use. They are allowed to use sandals and shoes. I am definite on that point. I have also been informed that as far as (*d*) (*i*)—Division III prisoners—are concerned, they are allowed to use sandals, but I will make an enquiry, as suggested by the honourable member. As regards (*d*) (*iii*), I have stated that discretion

has been given to Superintendents to allow the use of mosquito curtains in those cases where they are provided by the prisoners at their own cost subject to the approval of Superintendents.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state when was this order issued to the Superintendents and in which jail or jails the Superintendent has been pleased to permit such use?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Assault on security prisoners in Presidency Jail.

***6. Mr. SIBNATH BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state—

(*i*) whether the security prisoners in Presidency Jail were assaulted in the playground on the 25th April, 1943, at about 7 p.m.;

(*ii*) whether jailor, additional jailor and some warders and ordinary prisoners were amongst the assailants;

(*iii*) whether Srijuts Jagannath Bhattacharyya and Anil Chandra Bhattacharyya, two security prisoners, lay senseless on the ground due to bleeding and head injuries and were sent to Jail hospital;

(*iv*) whether Srijuts Anil Ghosh, Usha Roy and Murari Banerjee, three security prisoners, became senseless due to head injuries and had to be removed to Medical College Hospital that very night;

(*v*) whether Srijuts Charu Badan Chakravarty, Dharanath Bhattacharyya, Bhabani Sanyal and Basanta Ghosh had deep cut wounds on their heads and other parts of their body and were given medical treatment at night and sent to Jail hospital;

(*vi*) whether 20 more security prisoners were wounded as a result of the assault and were given medical treatment in their respective wards;

(*vii*) whether Srijuts Anil Ghosh, Usha Roy and Murari Banerjee were discharged from Medical College Hospital all on a sudden at about 9 p.m. on the night of 27th April, 1943;

(*viii*) whether after their discharge from Medical College Hospital they were treated in jail for 2-3 weeks;

(*ix*) what were their injuries recorded in Medical College Hospital and in Presidency Jail Hospital;

(*x*) whether it is a fact that absolutely no punishment has been given to any of the assailants;

(*xi*) whether on the other hand the interviews, physical exercise in the field and treatment in Medical College Hospital and School of Tropical Medicine of the security prisoners have been stopped for more than three weeks; and

(*xii*) who is responsible for these steps and what are the reasons?

(*b*) Will the Hon'ble Minister be pleased to lay on the Table a statement showing details of the injuries of each of the persons referred to in (*iii*), (*iv*) and (*v*)?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) and (*ii*) On the 25th evening some ordinary convicts who were engaged in the recreation ground to remove as usual the recreation implements such as poles, nets, etc., suddenly came to a clash with security prisoners there. The clash took place as a result of the conduct of some security prisoners abusing and assaulting the convicts who were carrying out their orders. The clash was over immediately the warders arrived on the spot. No jail officials took part in it.

(*iii*) The two prisoners who received head injuries were treated in the Jail hospital but were never senseless.

(*iv*) Yes.

(*v*) They received minor injuries and were treated in the Jail hospital.

(*vi*) Altogether 11 ordinary convicts and 29 security prisoners were injured.

(*vii*) to (*ix*) The Medical College Hospital authorities considered the injuries as not serious but still the prisoners were kept there for a day for confirmation by X-ray. On return they were further attended to in Jail hospital.

(*x*) As the security prisoners did not help the departmental enquiry by their evidence, no action could be taken for want of satisfactory evidence.

(*xi*) and (*xii*) Interviews and physical exercise by these prisoners had to be stopped for administrative reasons and not as punishment. Treatment in outside hospitals was never stopped.

(*b*) I am not prepared to furnish the particulars asked for in the public interest. But I am prepared to state that injuries of the prisoners referred to, were not serious.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state what is the latest hour when ordinary prisoners are locked up?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state whether this attack took place at least 15 minutes after all the ordinary prisoners were locked up at 6-30?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, as I have stated before, I have only had the versions that have been supplied to me by the authorities. I asked the security prisoners to let me have through the Superintendent their version, but they did not comply with that. In the meantime they filed a petition before the Chief Presidency Magistrate, and as the case before the Chief Presidency Magistrate was *sub judice*, I did not take any further notice of it. I have come to know today that that petition has been rejected. I cannot tell you anything more than what I have already stated.

Mr. JOGESH CHANDRA GUPTA: Is it a fact that an enquiry was ordered consisting of Deputy Inspector-General of Police and another gentleman before the complaint was lodged before the Chief Presidency Magistrate?

The Hon'ble Khwaja Sir NAZIMUDDIN: Yes. Government officers held an enquiry and submitted a report to Government.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state what was the time of the incident reported by the Deputy Inspector-General of Police?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. ATUL CHANDRA SEN: With reference to answer (*a*) (*i*) and (*ii*) wherein it is stated that no jail officials took part in it, will the Hon'ble Minister be pleased to state whether any jail officials were present on the spot?

The Hon'ble Khwaja Sir NAZIMUDDIN: After the row was started, naturally the jail officials must have been there to separate them and to stop the clash, but they took no part in the assault.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister try to remember if Mr. Nishitha Nath Kundu and Mr. Sibnath Banerjee sent to him a detailed statement of the incident after he had asked for a statement from the security prisoners?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not remember. They may have sent it.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to tell us if he enquired the reasons for selecting Anil Ghosh, Usha Roy and Murari Banerjee among other prisoners for sending to Medical College Hospitals?

The Hon'ble Khwaja Sir NAZIMUDDIN: Only those who wanted to be sent to Medical College Hospital were sent. As a matter of fact, the authorities of the Medical College Hospital thought that it was not a fit case for sending there.

Mr. NISHITHA NATH KUNDU: Sir, my question has not been answered. The question was whether the Hon'ble Minister himself looked into the report of the medical authority in charge of the Presidency Jail stating the reasons for sending those prisoners to Medical College Hospital that very night at 1 a.m. when they were unconscious?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not remember now.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister even now look into the report of the Medical Officer giving reasons for sending these security prisoners?

The Hon'ble Khwaja Sir NAZIMUDDIN: One thing I want to make clear. Mr. Kundu and Mr. Banerjee may have sent a report to me. What

I wanted was a statement from those who were injured or who were present on the occasion, but that statement was not supplied to me. As regards the prisoners who were sent to the Medical College Hospital all that I can state is that we have got the report of the medical authorities that the injuries were not serious and they also stated that the cases were not fit for sending to the hospital.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to quote that part of the report of the medical authorities to which he has just referred?

The Hon'ble Khwaja Sir NAZIMUDDIN: I refer the honourable member to my answer to question Nos. (*vii*) to (*ix*).

Rai HARENDRA NATH CHAUDHURI: That is not my question. Will the Hon'ble Minister be pleased to quote that part of the report of the medical authorities which says that the injuries are not serious?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not think that is necessary. My statement must be accepted.

Mr. SANTOSH KUMAR BASU: May I enquire of the Hon'ble Minister through you, Sir, what action was taken on the report sent by two members of this House, namely, Mr. Sibnath Banerjee and Mr. Nishitha Nath Kundu?

The Hon'ble Khwaja Sir NAZIMUDDIN: No action was possible unless and until I could get the people who were injured to give evidence or had anything else before me. As I have stated before, the honourable member forgets that they also filed a petition before the Chief Presidency Magistrate. I did not take any notice of the report, because I expected the question to be thrashed out in the Court of the Chief Presidency Magistrate.

Mr. SANTOSH KUMAR BASU: Are we to take it that he did not take any notice of the report because there was no report from those people who were actually injured?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have already said that they had applied to the Chief Presidency Magistrate and I expected that the whole thing would be taken up there and naturally I took no further notice.

Mr. JOGESH CHANDRA GUPTA: Is it a fact that the Chief Presidency Magistrate referred the complaint to the police who were investigating this case or to the enquiring police officers who were investigating the case?

The Hon'ble Khwaja Sir NAZIMUDDIN: As far as I know, they looked into this report. I ask for notice.

Mr. JOGESH CHANDRA GUPTA: Is it not a fact that the Chief Presidency Magistrate disposed of the case saying that Government had made an enquiry and had come to a certain finding and he saw no reason to differ.

The Hon'ble Khwaja Sir NAZIMUDDIN: Quite possible.

Srijut NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister explain the administrative reasons why interviews and physical exercise by these prisoners had to be stopped?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have got nothing further to add.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether he or any other Minister went to the jail for making an enquiry into this matter?

The Hon'ble Khwaja Sir NAZIMUDDIN: No.

Mr. SASANKA SEKHAR SANYAL: Why not?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not think it was necessary in this case.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state whether this assault on the security prisoners was due to the celebration of the assumption of office by the present Ministry on the previous day.

Mr. SPEAKER: That question does not arise.

Increase of family allowance of security prisoner Babu Suresh Chandra Majumdar.

*7. **Mr. KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the family allowance of Babu Suresh Chandra Majumdar, a security prisoner, detained in the Buxa Special Reserve Jail, has recently been enhanced by 50 per cent. as per policy enunciated by him in view of the acute economic distress prevailing in the country?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the date from which such increase has been given effect to?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons thereof?

(*d*) Is the Hon'ble Minister aware that—

(*i*) the said security prisoner has as his dependants, his widowed mother and three school-going boys, two of whom are his younger brothers and the other his nephew; and

(*ii*) before his arrest he was maintaining them?

(*e*) Will the Hon'ble Minister be pleased to state whether he has recently received any petition from the said security prisoner praying for an increase in his family allowance?

(*f*) If so, what action, if any, has been taken on it?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*), (*b*), (*c*) and (*f*) The family allowance of this security prisoner was enhanced from Rs.20 per month to Rs.30 per month (*i.e.*, by 50 per cent.) with effect from 1st February, 1943, in May, 1943, and it is now further enhanced to Rs.40 per month (*i.e.*, by 100 per cent.) under the present policy with effect from 1st April, 1943.

(*d*) (*i*) and (*ii*) My information is that the mother and the youngest brother only depended on the prisoner partly and that his younger brother is maintained by his cousin.

(*e*) Yes.

Mr. CHARU CHANDRA ROY: Mr. Speaker, Sir, before putting any supplementary question on this question may I ask the Hon'ble Minister through you to tell this House the policy of the Government about the increment of family allowances?

The Hon'ble Khwaja Sir NAZIMUDDIN: If the honourable members will permit me I want to take an early opportunity to make a comprehensive statement giving all the facts about the total number of prisoners at the present time, the number of security prisoners and others under detention, the number of prisoners released, what is the policy as regards allowances, etc., and lay on the Library Table three copies of the latest rules and regulations under which they are maintained and also one or two new orders that we passed and which are not included in those rules and regulations. I have spoken to the Hon'ble Speaker and he has asked me to see him tomorrow. As soon as I get an opportunity I shall do so. The advantage will be that a large number of questions that are now pending may be easily disposed of and the members will also get all the information that they require from the statement that I shall place before the House. So I hope with your consent and with the consent of the members I may be allowed to do that.

Family allowance to security prisoner Mr. Nishitha Nath Kundu.

***8. Mr. NIHARENDU DUTT-MAJUMDAR:** (*a*) With reference to the reply given to starred question No. 60 on the 24th March last, will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether the "pending decision" referred to in clause (*a*) (*ii*) has been taken;

(*ii*) what is the "important question of policy" which was referred to;

(*iii*) what is the decision Government have arrived at relating to the said question of policy; and

(*iv*) whether Mr. Kundu's petition has been granted?

(*b*) If the answer to (*a*) (*iv*) is in the negative, will the Hon'ble Minister be pleased to state the reasons thereof?

The Hon'ble Khwaja Sir NAZIMUDDIN: Mr. Nishitha Nath Kundu was released from custody in June, 1943. The necessity for answering the present question does not arise.

Mr. DHIRENDRA NATH DUTTA: May I know the Government policy regarding the allowance to be granted to the family members of a security prisoner who is a member of this House, by whose detention the members of his family have been deprived of the supplementary income?

Mr. SPEAKER: I think that if the Hon'ble Sir Nazimuddin is inclined to answer this, when he makes a statement, he may include it also.

The Hon'ble Khwaja Sir NAZIMUDDIN: Yes, I shall do so.

Family allowance of security prisoner Kazi Md. Mohsin Reja.

***9. Mr. HARIPADA CHATTOPADHYAY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that—

(*i*) Kazi Md. Mohsin Reja is a security prisoner in Alipore Central Jail;

(*ii*) before his arrest he was the clerk-in-charge of the Majdia Special Co-operative Debt Settlement Board Office in Nadia;

(*iii*) he was the sole earning member of his family consisting of his wife and several children, who are now in great distress; and

(*iv*) he has sent several petitions and reminders to the Deputy Secretary, Home Department, and a letter to Hon'ble Minister in charge of Home Department for family allowance?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of granting him a suitable family allowance at an early date?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) No, he has since been released.

(*ii*) Yes.

(*iii*) He was the sole earning member of his family consisting of his wife and two children. After his arrest his younger brother used to help his wife with Rs.10 per mensem.

(*iv*) Yes.

(*b*) A family allowance of Rs.30 per mensem has been sanctioned to Maulvi Md. Mohsin Reja for the period of his detention.

Diagnosis of diseases in the Jail hospital.

***10. Mr. RADANATH DAS:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether cases not diagnosed properly in the Jail hospital are sent to the Medical College Hospital or any other hospital for proper and careful diagnosis?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state if this practice is extended to the Division III prisoners?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reasons thereof?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) and (*b*) The honourable member is referred to rule 597 of the Bengal Jail Code, Volume I, Part I (7th Edition). The rule applies to all prisoners irrespective of Division.

(*c*) Does not arise.

Starred question No. 11.

The Hon'ble Mr. TAMIZUDDIN KHAN: May I suggest, Sir, that this question be held over as I am not finding the relevant papers?

Mr. SPEAKER: The question is held over.

Scheduled Caste hostel for the post-graduate students in Calcutta.

***12. Mr. PATIRAM ROY:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that there is no Scheduled Caste Hostel for the post-graduate students in Calcutta?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, he proposes to take in the matter?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) Yes.

(*b*) No action is contemplated at present.

Duration of stay of an officer of Education Department.

***13. Maulvi Md. ABDUL HAKIM VIKRAMPURI:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) how long the Headmaster of the Primary Training School at Krishnagar has been serving there as such; and

(*b*) whether his transfer is due now?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) Since the 18th March, 1937.

(*b*) There is no hard and fast rule about the periodical transfer of teachers employed in the Department. They are allowed to continue at a station as long as they exercise a beneficial influence there, unless there are administrative reasons for transfer.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state whether there is any time-limit at all to anybody serving as Headmaster in a particular place?

The Hon'ble Mr. TAMIZUDDIN KHAN: I do not think that there is any time-limit.

Price of jute.

***14. Khan Bahadur Maulvi HASHEM ALI KHAN:** Will the Hon'ble Minister in charge of the Commerce, Labour and Industries Department be

pleased to state what steps the Government have taken so far for securing fair price for jute for the cultivators during the coming season?

MINISTER in charge of the COMMERCE, LABOUR and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Khwaja Shahabuddin): In June, the Indian Jute Mills Association fixed maximum prices, at which the member mills may purchase raw jute. The Government of Bengal considered those prices to be rather low, and approached the Government of India for raising the maximum at least to be in parity with the prices of manufactured goods. The Government of India have promised to consider the matter sympathetically. In the meantime, the problem has been complicated by the short supply of coal to jute mills, which has caused a number of them to close down, and has very seriously affected production. The prices of manufactured goods have lately declined. This Government are watching the situation carefully and will not hesitate to take such ameliorative action as may from time to time be necessary.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the jute prices at the present moment are again having a tendency towards a decline after having a short period of rise during the last two weeks?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I think that the tendency is slightly towards a decline.

Dr. NALINAKSHA SANYAL: Is it a fact that one patent reason for the decline is the non-utilisation or non-purchase of raw jute by the jute mills as a result of a number of them having had to close down not only because of want of coal supply but also because of requisitioning of their godowns thus making it impossible for them to function?

The Hon'ble Mr. Khwaja SHAHABUDDIN: There are many factors which have been responsible for this decline.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether it is also a reason for the decline in the price of jute that the cultivation of jute for the next season has not been regulated by Government?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I do not agree with that supposition of the honourable member.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state regarding the ameliorative measures referred to in the answer whether Government have decided on any action to be taken?

The Hon'ble Mr. Khwaja SHAHABUDDIN: The matter is under consideration.

Distribution of improved paddy seeds to cultivators.

***15. Mr. I. C. KENNEDY:** (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state—

(*i*) what is the existing Government machinery for distribution of improved paddy seeds to the cultivator; and

(*ii*) what steps have been taken by Government to implement the recommendation of the Bengal Paddy and Rice Enquiry Committee that a comprehensive seed supply service should be instituted as soon as possible?

(*b*) Is the Hon'ble Minister aware that the Bengal Paddy and Rice Enquiry Committee described the institution of a comprehensive seed supply service as "one of the most urgent of our agricultural reforms"?

Mr. RASIK LAL BISWAS (on behalf of the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*)(*i*) Distribution of improved paddy seeds to cultivators is being made (1) through the staff of the Agriculture Department, and (2) through private farms of recognised growers.

(*ii*) The scheme for improving and expanding the staff of the Agriculture Department so as to provide a comprehensive seed supply service as recommended by the Bengal Paddy and Rice Enquiry Committee could not be given effect to during the pendency of the war.

Various war time emergency Grow More Food schemes have however been put into operation such as (1) the Rice Development Scheme under which 21 varieties of Departmental *aman* paddies are being multiplied and bought back for distribution to other cultivators, (2) the *aus* paddy 1943-44 scheme under which 38,000 maunds of Departmental paddy were bought and distributed to growers, and (3) the 1943-44 *aman* paddy scheme under which some 2½ lakhs maunds of paddy of which about 70,000 were of Departmental strains. The last two schemes do not ensure any further spread under Government agency. In addition, 1¼ lakh maunds largely of Departmental Patnai paddy was supplied to the Midnapore cyclone-affected area.

A scheme of a more permanent nature although sanctioned in the first instance for 3 years is the *aus* and *aman* purchase and storage scheme under which the Department will buy up at harvest and store for sale to cultivators a quantity of Departmental *aus* and *aman* paddies in each district, the total for the Province being 30,000 maunds of *aus* and 110,000 maunds of *aman*. The Director of Agriculture will be provided with Rs.33,94,000 to effect these transactions and an extra staff which includes 12 District Agricultural Officers.

(*b*) Yes; but as explained above effect could not be given to the recommendation during the pendency of the war.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that in the distribution of paddy seeds to cultivators

delay had occurred in numerous cases as a result of which the seeds supplied to cultivators could not be used in the season for which the seed was supplied?

Mr. RASIK LAL BISWAS: Delay is not the only reason.

Dr. NALINAKSHA SANYAL: Is my honourable friend aware that in many cases distribution of paddy seeds was made in terms of Re. 1 or Rs. 2 per head to the cultivators in cash in lieu of paddy seeds because no seed was available?

Mr. RASIK LAL BISWAS: Government are not aware.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether in many cases no seed was distributed but money only was distributed and a receipt was taken saying, "received for paddy seeds"?

Mr. RASIK LAL BISWAS: Government are not aware.

Mr. SASANKA SEKHAR SANYAL: May I give definite information to Government that this was done all over Murshidabad district, and if the honourable Parliamentary Secretary is not aware, will he be pleased to persuade his Government to make an enquiry into the matter?

Mr. RASIK LAL BISWAS: If specific cases are brought to Government's notice, Government will enquire into the matter.

Dr. NALINAKSHA SANYAL: On a point of order, Sir; my honourable friend, Mr. Rasik Lal Biswas, answers in a strain as if he is the Government. If he does not follow the rules which are enjoined upon him, at least he must not use the term "Government", and unless he refers to a definite decision of Government he is not entitled to do so. He can at most use the expression, namely, that my honourable friend, the Minister in charge, may be pleased to enquire. He is merely a "বকলম" as you call it in Bengali.

Mr. SPEAKER: Dr. Sanyal, you are referring to the rules in the Bengal Secretariat Manual which is not the property of this House, and therefore I cannot enforce those rules. That is my difficulty. That is why I said, "I am shortly calling a conference of leaders in this matter to make things clear". In the meantime I hope the Parliamentary Secretaries will kindly read the Bengal Secretariat Manual and frame their answers accordingly.

Mr. SASANKA SEKHAR SANYAL: Are we to understand that in the meantime, as there is nothing in our rules to prevent a Parliamentary Secretary from pretending to be a Minister, he will continue to do so?

Mr. SPEAKER: It is not a question of pretending to be like a Minister because according to our rules any member can answer a question on behalf of the Minister concerned if the power is delegated to him. But here that function has been delegated. The question that concerns us now is only about the form of the answer to be made by a Parliamentary Secretary. I understand there is a provision made for the purpose by rules by the Bengal Government and these rules are incorporated in the Bengal Secretariat Manual which lays down the form of the answer. I hope that form will be properly adhered to until a decision is taken on the point at a conference of the leaders of this House.

Mr. I. C. KENNEDY: Will the Hon'ble Minister be pleased to tell us, arising out of the answer to question (*ii*), precisely whether the comprehensive seed supply service recommended by the Bengal Paddy and Rice Enquiry Committee cannot be put into effect during the pendency of the war?

Mr. RASIK LAL BISWAS: That requires a good deal of expenditure which has been withheld for the time being but as soon as the war is over, it will be done.

Mr. A. F. STARK: Will the Hon'ble Minister be pleased to state if it is not a fact that the Seed Supply Service is a part of the "Grow More Food" scheme and whether all funds for the "Grow More Food" scheme may be obtained from the Government of India?

Mr. RASIK LAL BISWAS: The "Grow More Food" scheme has been taken up in various ways but not in the way in which it has just now been suggested.

Srijut MANINDRA BHUSAN SINHA: Is the Hon'ble Minister aware that in the district of Bankura the seeds supplied were inferior in quality as admitted by the Director of Agriculture to whom a sample was sent?

Mr. RASIK LAL BISWAS: I am not aware.

Dr. NALINAKSHA SANYAL: There is another point of order. My friend again says "I am not aware". Nobody cares whether he is aware or not. He has got to say either "My friend the Minister in charge is aware or Government is aware". We know that some Parliamentary Secretaries are ignorant of many things, but that will not help us.

Mr. SPEAKER: I hope so long as this question is not finally settled, a Parliamentary Secretary in answering a question will say "My Hon'ble friend or the Hon'ble Minister in charge of this department will do this or will do that".

Mr. SURENDRA NATH BISWAS: How can the Parliamentary Secretary say that the Hon'ble Minister is not aware? (Laughter.)

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Salaries of Hindu coastal guards in Sutahata police-station.

1. **Sj. NARENDRA NATH DAS GUPTA:** Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) how long the Hindu coastal guards in Sutahata police-station, Midnapore, have not been paid their salaries;

(*b*) what is the reason therefor; and

(*c*) what are their duties?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) The Hindu Coast Guards in Sutahata police-station, Midnapore, except those who have been recently appointed, have been paid up to May, 1943.

(*b*) Does not arise.

(*c*) To keep a watch for and report any suspicious occurrence such as the movement of unidentified aircraft or the appearance or assembly of sea-borne craft in suspicious circumstances, etc.

Srijut NARENDRA NATH DAS GUPTA: For how many months the salaries of these coastal guards remained unpaid?

Khan Bahadur MOHAMMED ALI: It has been already replied that they have been paid up to May, 1943. This was true when the reply to the question was sent. I have no reason to believe that the payments have not been made up to date.

Delay in delivery of letters of security prisoners of Buxa Special Jail.

2. **Mr. JNANENDRA CHANDRA MAJUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state—

(*i*) whether letters of security prisoners sent from and to the Buxa Special Reserve Jail are delayed during despatch and delivery by the censoring authorities;

(*ii*) whether many letters sent a month ago have not yet been received by the addressees; and

(*iii*) whether more than thousand letters have not yet been despatched and have still been held back?

(*b*) If so, what steps does the Hon'ble Minister propose to take for the early despatch of letters?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) My information is that there had been some delay in the past: additional staff for censoring has since been posted and there is no delay now.

(*ii*) I have no information.

(*iii*) No.

(*b*) I refer the honourable member to my reply to (*a*) of the question.

Mr. CHARU CHANDRA ROY: Mr. Speaker, Sir, through you may I inform the Hon'ble Minister that this general question of not getting letters and delay in delivery of letters all these things are coming to this House for three or four years——

Mr. SPEAKER: That is not a supplementary question. I am not going to allow it.

Family allowance of certain security prisoners.

3. Mr. ISWAR CHANDRA MAL: (*a*) Is the Hon'ble Minister in charge of the Home (Political) Department aware—

(*i*) that Babu Jogesh Chandra Palit, district Bankura, the only earning man of his family arrested on the 7th September, 1942, applied on the 9th March, 1943, for a monthly allowance;

(*ii*) that Babu Bhuteswar Pariya, district Midnapore, the only earning member of his family arrested on the 17th March, 1943, applied for a monthly allowance;

(*iii*) that the aforesaid prisoners have been detained in the Midnapore Central Jail as security prisoners;

(*iv*) that the families of the aforesaid prisoners are in great difficulty due to abnormal rise in the prices of the foodstuffs and other daily necessaries of life;

(*v*) that the aforesaid prisoners have received information from the Government that their applications are being considered; and

(*vi*) that the considerations of the Government were intimated to them long time ago?

(*b*) If the replies to (*a*) (*i*) and (*ii*) are in the affirmative, is the Hon'ble Minister considering the desirability of granting their monthly allowances from the date of their arrests in view of the abnormal time and the difficulties of the families in the absence of any earning member?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) Yes, but he is not the only earning member of his family.

(*ii*) and (*iii*) Yes.

(*iv*) to (*vi*) and (*b*) Babus Jogesh Chandra Palit and Bhuteswar Pariya have been granted Rs.15 and Rs.40 respectively as family allowance with effect from their date of arrest.

Increase of family allowance of a security prisoner.

4. Mr. JNANENDRA CHANDRA MAJUMDAR: (*a*) With reference to the reply given to the supplementary starred question No. 57 on the

22nd February, 1943, will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether the Government have received any fresh petitions from Jamini Babu on the 26th February, 1943, and 5th May, 1943, giving the details of the present circumstances of his family?

(*b*) Is the Hon'ble Minister aware that—

(*i*) the printing press, yielding, according to the Government information, a monthly income of Rs.15 to Jamini Babu's family, had to be sold away for paying off the debts and liabilities incurred for running the press during the detention of Jamini Babu;

(*ii*) the family have been deprived of the said monthly income of Rs.15 from the press as a result thereof; and

(*iii*) the monthly allowance of Rs.15 granted to the family of Jamini Babu, consisting of six members, is insufficient especially in these days of abnormally high prices of foodstuffs and other necessary articles?

(*c*) If so, is the Hon'ble Minister considering the desirability of increasing the amount of monthly allowance granted to the family of Jamini Babu?

(*d*) If not, will the Hon'ble Minister be pleased to state the reasons thereof?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) (*i*) I have no information about why the printing press has been sold away.

(*ii*) and (*iii*) Yes.

(*c*) The amount of monthly allowance has been increased to Rs.30.

(*d*) Does not arise.

Family allowance to security prisoner Babu Pramatha Nath Banerjee of Contai.

5. Mr. ISWAR CHANDRA MAL: (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether it is a fact that—

(*i*) Babu Pramatha Nath Banerjee of Contai in the district of Midnapore was arrested under rule 129 of the Defence of India Rules in 1942;

(*ii*) the arrest was made while he was engaged in organising Village Defence Committees according to the request and suggestion of the then Subdivisional Officer, Contai;

(*iii*) he was detained in Midnapore Central Jail as a security prisoner;

(*iv*) he is under heavy debt;

(*v*) his business is practically ruined; and

(*vi*) he applied to the Government for a suitable allowance for maintenance of his big family and for payment of his debt?

(*b*) If the answers to (*a*) (*iv*) to (*vi*) are in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, he proposes to take in the matter?

(*c*) Is it a fact that his privileges to get interviews from his relations which he was enjoying for the last one year have been recently stopped?

(*d*) If so, is the Hon'ble Minister considering the desirability of restoring those privileges to the said prisoner?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) Yes.

(*ii*), (*iv*) and (*v*) No.

(*iii*) and (*vi*) Yes.

(*b*) Prayer for family allowance has been rejected.

(*c*) Yes.

(*d*) No.

Mr. ATUL CHANDRA SEN: The answer to question (*a*)(*v*)—whether his business is practically ruined—is "No". Will the Hon'ble Minister be pleased to state what is the present average income monthly of the prisoner?

Khan Bahadur MOHAMMED ALI: I want notice.

Mr. JOGESH CHANDRA GUPTA: Are there any data for saying that the business has not been ruined?

Khan Bahadur MOHAMMED ALI: Yes, Sir; the prisoner at that time had kerosene and petrol business but due to petrol restriction there was certainly a drop in his income but the business did not completely go out of existence.

Medical treatment of Babu Kshetra Gopal Chatterjee.

6. Mr. ISWAR CHANDRA MAL: (*a*) Will the Hon'ble Minister in charge of the Home (Political) Department be pleased to state that—

(*i*) Babu Kshetra Gopal Chatterjee, M.A., Bankura, is detained in the Midnapore Central Jail after his arrest on the 16th September, 1942;

(*ii*) he fell ill a few days after his arrest and has been staying in the Jail hospital for nearly 8 months at intervals;

(*iii*) X'ray examination was necessary for him for proper diagnosis of his illness;

(*iv*) he was once taken to Kharagpur for X'ray examination;

(*v*) the examination was not possible as the apparatus was out of order;

(*vi*) no further arrangement was made for his examination;

(*vii*) he suffers from slow fever, nausea, vomiting and pain in the lungs?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the steps that have been taken for his correct diagnosis and better treatment?

(*c*) Will the Hon'ble Minister be pleased to state whether it is a fact that the Superintendent has recommended for his release on health ground?

(*d*) Is the Hon'ble Minister considering the desirability of—

(*i*) making arrangement for his better treatment; and

(*ii*) releasing him for giving facility to his guardians for better treatment outside?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) He has since been released.

(*ii*) During his detention he was in Jail hospital for nearly 8 months, off and on.

(*iii*) to (*v*) Yes.

(*vi*) Attempts were being made to procure the necessary films when the prisoner was released.

(*vii*) He had not these symptoms at the time of release.

(*b*) to (*d*) Do not arise in view of the answer to (*a*) (*i*) above.

Midnapore Central Jail Hospital.

7. Mr. ISWAR CHANDRA MAL: (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether it is a fact that—

(*i*) the hospital of the Midnapore Central Jail has become congested by the increasing number of patients;

(*ii*) the local Jail authorities are not in a position to treat each and every patient properly; and

(*iii*) the death rate has increased in the said jail?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action he proposes to take in the matter?

(*c*) Is it a fact that the wells and tanks in the said jail often become dry and thereby cause great inconvenience for water supply?

(*d*) If the reply to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state what action he proposes to take for the re-excavation of the said wells?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) Has not become congested now.

(*ii*) No.

(*iii*) Yes.

(*b*) A third Sub-Assistant Surgeon has since been appointed.

(*c*) Like all other wells of Midnapore the jail wells also become dry for a very short period.

(*d*) As the tanks are never dry the question of re-excavation does not arise at present.

Export of rice from several districts.

8. SJ. ASHUTOSH LAHIRI: Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to lay on the Table a statement showing—

(*a*) the quantity of rice exported during the period from 1st April to 15th June, 1943, from the districts of—

(*i*) Mymensingh,

(*ii*) Bogra,

(*iii*) Dinajpur,

(*iv*) Malda,

(*v*) Bakarganj,

(*vi*) Khulna, and

(*vii*) 24-Parganas;

(*b*) the quantity of rice booked from these districts to Calcutta and Howrah stations by railway, steamer and boat; and

(*c*) the names of the agents licensed to export such rice?

The Hon'ble Mr. H. S. SUHRAWARDY: Government do not compile figures of *intra* district movements. They have no statistics or figures or registers in their possession that can furnish the information required.

SJ. ASHUTOSH LAHIRI: During the period 1st April to 15th June export of rice from one district to another was made under permits issued by the district authorities and they must have kept a record of permits issued by them during this period. Why is it not possible for the Minister then to answer this question?

The Hon'ble Mr. H. S. SUHRAWARDY: I do not think the honourable member is right when he says that all exports were made under permits. Soon after we came into office we abolished even the regional barriers then existing.

SJ. ASHUTOSH LAHIRI: I say, Sir, that during this period export of rice from one district to another was made only on the issue of permits.

Mr. SPEAKER: The Hon'ble Minister says that is not so.

Appointments made by the District Magistrate of Pabna.

9. Mr. A. M. ABDUL HAMID: Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) the number of new appointments (new recruits) made by the present District Magistrate in the Pabna Collectorate as well as the departments under his control including A.R.P. at Ishurdi;

(*b*) the number of them that are—

(*i*) Muslims,

(*ii*) Caste Hindus, and

(*iii*) Scheduled Castes;

(*c*) whether in making the appointments the Communal Ratio Rule was observed;

(*d*) the number of vacancies that have been filled up by promotion; and

(*e*) the number of them that have gone to Muslims?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Tarak Nath Mukerjea): (*a*) 60.

(*b*) (*i*) 31.

(*ii*) 21.

(*iii*) 8.

(*c*) Yes.

(*d*) and (*e*) There has been no permanent vacancy in the upper division of the Pabna Collectorate. There were, however, two officiating vacancies. These were filled in by appointing one Muslim and one Hindu.

Sale and removal of cattle.

10. Dr. NALINAKSHA SANYAL: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Veterinary Department be pleased to state—

(*i*) whether Government are aware that for the last few months an unprecedented sale and removal of cattle and buffaloes have been going on in most parts of the Province;

(*ii*) whether Government have maintained any report regarding the position of live-stock in the rural areas of Bengal for enabling them to find out the adequacy or otherwise of supply for purposes of agriculture and for milk supply; and

(*iii*) whether it is a fact that as a consequence of the sale and removal of cattle and buffaloes from many parts of Bengal great difficulty is being experienced by the people for want of suitable supply of bullocks for agriculture?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, Government propose to take to tackle the problems arising out of this situation?

MINISTER in charge of the AGRICULTURE and VETERINARY DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) (*i*) Yes, I am aware of the fact that the demand for cattle for slaughter for the supply of meat to the military has increased considerably in some of the districts of Bengal during the past year or so. The lure of good prices offered by the military contractors is tempting the cultivators to part with even their good cattle and in consequence plough bullocks, young stock and cows are all being sold in some of the districts. But there is not much demand for buffaloes.

(*ii*) Information regarding the position generally of live-stock in the rural areas of the Province is maintained by Government. But it is not possible to make an exact estimate of the cattle sold throughout the Province during the past year in connection with meeting the demands of the military.

(*iii*) Yes, it is reported that the cultivators experienced difficulty as a consequence of the sale and removal of the cattle in some of the districts. But this was not for want of suitable supply of bullocks for agriculture.

(*b*) As the sales of cattle are entirely voluntary and as the purchases are made by the military authorities for military purposes through the military contractors it seems difficult to control such sales. I am, however, to state that the Government of India have since forbidden the slaughter of cattle under 10 years of age, of pregnant cows, of milch cows and of working cattle used for transportation. If these directions be followed by the military authorities nothing further would require to be done in the matter.

Dr. NALINAKSHA SANYAL: With reference to the question of sale and removal of cattle the answer supplied in (*a*)(*i*) states that there has been a large sale because of demand for cattle for slaughter for supply of meat to the military; will the Hon'ble Minister be pleased to state whether it is a fact that the military have expressed their desire to co-operate in the matter of obtaining their supply of meat from outside this province if suitable representation to that effect is made?

Mr. RASIK LAL BISWAS: Government is not aware.

Adjournment Motion.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, I have got your consent for an adjournment motion and the adjournment motion reads thus:

"This Assembly do now adjourn to discuss a definite matter of urgent public importance and of recent occurrence, namely, the distress and panic prevailing in many parts of Bengal due to continued rise in the prices of rice

and paddy from the beginning of December last, following the announcement of the Bengal Government's Aman Purchase Scheme based upon the appointment of a limited number of big Calcutta merchants as their Chief Agents for procuration."

I have got your consent and I take this opportunity to hand over, as the rule requires, the brief statement which I have already given to you for your perusal. I would like to have the leave of the House for taking up the adjournment motion today, if possible, or at the earliest possible opportunity,

The Hon'ble Mr. H. S. SUHRAWARDY: I am afraid that I must object to this because I do not agree with the basis of the motion itself. There is no rise in prices throughout Bengal. As a matter of fact, anybody who is in touch with the market will know that there is a fall in prices in many parts of Bengal. There is also no panic prevailing except the attempts that are being made to engineer such a panic. If you will see the reports in the papers of the members of that party which is trying to create this panic in the country you will find that even if there is a rise in price of only 4 annas per maund, it is reported that prices are soaring in such and such places that prices are leaping up in such and such other places. (MR. SASANKA SEKHAR SANYAL: You do not know the value of 4 annas.) Unfortunately, there is a deliberate attempt on the part of certain persons——

Dr. NALINAKSHA SANYAL: This will be discussed later and if my friend can convince the House that there has been no rise——

The Hon'ble Mr. H. S. SUHRAWARDY: The point is this. The adjournment motion is founded on a false basis, namely, that of distress and panic existing on account of rise in prices. There is no rise in prices and there is no panic. There is obviously some distress which has been handed down from the past because I still maintain—I have already stated it—that at these prices there is a very large section of the people that cannot afford to purchase the foodgrains. But that is an entirely different matter.

Dr. NALINAKSHA SANYAL: With reference to this objection, I would like to make a present of a series of cuttings from newspapers?

Mr. SPEAKER: We are not discussing that now. I think I ought to read out the statement on which the adjournment motion is sought to be based. The short statement runs thus: "Reports have been received and are daily pouring in regarding the existence and continued growth of distress and panic in most parts of mufassal Bengal due to steady and in some places sudden rise in the prices of rice and paddy after a brief period of falling prices immediately following the harvesting of the crop in November. On the 1st December, 1943, the Government of Bengal announced through a Press Note published in the Calcutta papers on 2nd December, 1943, their Aman Purchase Scheme one of the principal features of which was stated to be that 'All purchases of rice and paddy on behalf of Government will be entrusted to a Purchasing Board consisting of not more than five firms of very high standing' and 'these firms to be designated

as Chief Agents will buy in specific districts principally through agents appointed from amongst local rice and paddy dealers.' It is widely felt that the prices in the mufassal began to rise mainly as a consequence of this policy and the impropriety of the appointment of a few big Calcutta merchants as the Chief Agents of Government is sought to be discussed in this motion."

These are the facts on which this adjournment motion is sought to be based. Mr. Suhrawardy has said something about it, but I would allow him to speak, if he so likes, with regard to the last part.

Mr. P. BANERJI: On a point of order, Sir. Is a speech necessary at this stage?

Mr. SPEAKER: It is not a question of speech.

Mr. P. BANERJI: It is now for you to ascertain whether a sufficient number of members are in favour of this motion.

Mr. SPEAKER: Order, order. Yes, Mr. Suhrawardy.

The Hon'ble Mr. H. S. SUHRAWARDY: You will see, Sir, that in the statement there is no question of panic at all. Panic may be one of the reasons which may induce the House to grant permission to move an adjournment motion on the ground of its being a definite matter of public importance or something of that kind. In that statement it is sought to be alleged that rise in prices in mufassal was due to the fact that five persons were going to be appointed for the purchase and not more than five, that is to say, the rise in prices is merely due to this announcement. Whether there is anything more ridiculous or laughable than this statement I do not know It is quite clear that this motion is merely an indirect attempt to criticise the appointment of these people, and on this the question of distress and panic is being hung.

Now, Sir, I submit that the question of appointment of these people does not form the subject-matter of this adjournment motion. If there is anything which will induce you to give permission it will be the question whether there is distress or panic due to this announcement; and as I have already pointed out in the statement which just lets the cat out of the bag there in no question of distress or panic but a mere statement that owing to this announcement the prices began to rise. That is, in my submission, no question of a definite matter of public importance.

Mr. SPEAKER: I do not see any reason why this adjournment motion should be disallowed. It relates to a matter of urgent public importance and I would allow this adjournment motion, provided the requisite number of members rise in their seats in favour of the motion. (After the requisite number of members rose in their seats in favour of the motion.) Leave is granted. The motion will be discussed after *Asar* prayer.

Mr. NISHITHA NATH KUNDU: Sir, I also asked for leave to move an adjournment motion regarding some assault, to which you gave your consent.

Mr. SPEAKER: But the rules say that if one adjournment motion is allowed to be moved in one sitting, other motions cannot be moved.

Mr. NISHITHA NATH KUNDU: Sir, the rules are only for the purpose of admission. The rules state that more than one adjournment motion cannot be moved in one sitting, but the rules do not state that more than one adjournment motion cannot be admitted in one sitting. When I have received your consent, I pray that you will declare that this motion is also in order, and you will please waive its urgency.

Mr. SPEAKER: I quite see your point. You want to say that I should allow this motion and fix some other date for discussion. I think there have been occasions in the past like this when adjournment motions have been allowed and then they have been discussed on subsequent dates. But to my mind it appears that the very essence of an adjournment motion is that it should be moved on that very particular day. The language of an adjournment motion is: "The House do now adjourn .. ", *i.e.*, the importance of the subject is such that all other business must be postponed for the day and this matter should be taken up. This is the Budget Session and you will have ample opportunity of discussing every matter. The matter in question in the other adjournment motion is not such that it cannot wait. It can wait and it can be discussed during the Budget Session. So, I think that it will not be fair to allow the other motion——

Mr. SASANKA SEKHAR SANYAL: Before you finally disallow the motion, Sir, may I make a submission? We all agree that the essence of an adjournment motion is that it must be moved at the earliest opportunity, but so far as the mover is concerned he has complied with the requirements and as Speaker it is for you to find out whether the motion answers the other requirements, namely, urgency, public importance and all that and if you find that the motion is otherwise in order and that it cannot be moved on account of circumstances over which the mover has no control and if you find that the matter is of some importance we look up to you to give us an opportunity to discuss this matter.

With regard to your observation regarding getting opportunities during the Budget discussion, I submit that we on the Opposition have experience to our cost that during Budget discussions such numerous matters of importance do come in that it is very difficult to choose between one and the other. They are absolutely crowded out. As a matter of fact, very essential motions have got to be dropped on account of want of time. So I submit on behalf of my party and on behalf of the Opposition in general, if you agree that the matter is of some importance—it is undoubtedly of great importance so far as the province is concerned—when there have been *lathi* charges, *prima facie* nothing could have been of greater magnitude and importance——

Mr. SPEAKER: You are speaking of *lathi* charges, but there is no reference to that in the motion.

Mr. SASANKA SEKHAR SANYAL: Not *lathi* charges but assaults. So far as the present week is concerned the business is not such as to occupy the entire time of the House. May we not look up to you to make an adjustment between the rules as they are and the requirements of the occasion? I think, Sir, that it is possible to make an adjustment and it is quite within your power to waive the urgency and to have the matter discussed either tomorrow or some other day.

Mr. NISHITHA NATH KUNDU: This is the third occasion when there has been an assault on security prisoners during the incumbency of the present Ministry.

Mr. SPEAKER: Mr. Kundu, you are not permitted to make a speech on your motion at this stage.

Mr. NISHITHA NATH KUNDU: I want to impress on you the importance of this matter. It is very important and very urgent. We have complied with the rules in tabling the motion and we should not be deprived of the right to discuss the motion.

Mr. ATUL KRISHNA GHOSE: Sir,——

Mr. SPEAKER: Order, order. It is not necessary to hear everybody on this matter.

Mr. ATUL KRISHNA GHOSE: As a member I would like to draw your attention to the assertion of the Hon'ble Chief Minister that he did not consider it necessary to look into a riot which had occurred in the jail compound.

Mr. SPEAKER: Order, order. I cannot allow that. Sir Nazimuddin, I would like to know one thing from you before I give my decision. Mr. Sanyal has stated that this week there is not much work to be done. Do you agree to that?

The Hon'ble Khwaja Sir NAZIMUDDIN: On the other hand, Sir, I think that our programme is a very congested one. As members know we intend to have a very long session. Certainly we have got some work which must be finished before the end of March and any interference with that programme will seriously affect very important business.

Mr. SASANKHA SEKHAR SANYAL: From the revised agenda which the Secretary has circulated we find that some amount of business will be carried over from this week to next week. We cannot say that things which have not been disposed of this week could not be disposed of next week.

Mr. SPEAKER: I have myself looked into the programme. Sir Nazimuddin has given his opinion and I have also got the opinion of the

Leader of the Opposition who himself has stated that the programme for this week cannot possibly be finished during this week. That is what the Leader of the Opposition (I mean Mr. A. K. Fazlul Huq) spoke to me on the 'phone about it. So I do not think that the work to be done during this week is very light. On the other hand, it may not be possible to finish it. Apart from that the real point is whether Mr. Nishitha Nath Kundu's adjournment motion should be allowed. It relates to some alleged assault on security prisoners in jail. We all know that even today there has been an answer to a question regarding an assault in a jail. (Mr. KIRAN SANKAR ROY: A very unsatisfactory reply.) I am not concerned with the nature of the reply. It relates to an incident which is past. (Rai HARENDRA NATH CHAUDHURI: But a recurring incident.) Yes, it will recur so long as circumstances continue to be favourable to it, but that is no reason why you cannot wait for 15 days. I think that the adjournment motion regarding food is urgent and is more important in this sense that it may have its effects afterwards. (Rai HARENDRA NATH CHAUDHURI: It has got precedence already.) So I have allowed that, and I think the other matter can be discussed during the Budget discussion. I consider that also important but not so very urgent.

GOVERNMENT BILLS.

The Bengal Agricultural Income-tax Bill, 1943.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I beg leave to submit the report of the Select Committee on the Bengal Agricultural Income-tax Bill, 1943. I may add that copies of the Bill have already been circulated to honourable members.

Ordinances.

The Hon'ble Mr. TARAK NATH MUKERJEA: Mr. Speaker, may I have your permission under section 88(2)(*a*) of the Government of India Act, 1935, to lay before the Assembly the Bengal Destitute Persons (Repatriation and Relief) Ordinance, 1943?

May I have your permission under section 88(2)(*a*) of the Government of India Act, 1935, to lay before the Assembly the Bengal Alienation of Agricultural Land (Temporary Provisions) Ordinance, 1943?

Amendments to Bengal Legislative Assembly Procedure Rules.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I beg to move for leave to introduce the following amendments proposed in the Bengal Legislative Assembly Procedure Rules, namely:—

"In Rule 54—

(*a*) in sub-rule (*3*) the words 'if he is a member of the Assembly' shall be omitted;

(*b*) sub-rule (*4*) shall be omitted;

(c) sub-rule (5) shall be renumbered as sub-rule (4) and to sub-rule (5) as so renumbered the following proviso shall be added, namely:—

'Provided that if a Minister who is not a member of the Assembly is the Chairman of a Select Committee, then in the case of an equality of votes, he shall not have the casting vote but shall decide the question before the Committee by the drawing of lots in such manner as he may determine.'

(d) sub-rule (6) shall be renumbered as sub-rule (5).

To Rule 55 of the Bengal Legislative Assembly Procedure Rules the following proviso shall be added, namely:—

'Provided that the provisions of this rule shall not preclude the presence of departmental Secretaries or experts or the Parliamentary Secretary attached to the Minister in charge of the Department to which a Bill relates at the deliberations of a Select Committee for the purpose of rendering to such Minister or to the Committee generally any assistance that may be necessary'."

Dr. NALINAKSHA SANYAL: On a point of order, Sir. These rules have been only today laid on the table and were handed over to members as they were walking in. The rules provide that if the Government had published these amendments in the Gazette the introduction stage would have been eliminated. But there is nothing in the rules which permit such short notice that members would not be given any idea of what is coming and on the very day when the members would be faced with an introduction, notice will be available. In view of this we submit that due proper notice should be given. The Minister in charge knows how important rules are which are mainly the result of joint deliberations of all sections of the House. In view of that, I trust he will have the courtesy to wait before he seeks to change the rules by handing in amendments at the last moment.

Mr. SPEAKER: I think I have allowed him leave.

Dr. NALINAKSHA SANYAL: Without notice to anybody!

Mr. SPEAKER: It is not on the Order Paper. It was received in my office. I passed orders accepting the short notice and I think it was circulated.

Dr. NALINAKSHA SANYAL: It was not circulated.

Mr. SPEAKER: It has been circulated today. I think I accepted this short notice. You will have ample time. It is only now in the introduction stage.

Rai HARENDRA NATH CHAUDHURI: Do we understand that it is only the introduction that is suggested?

Mr. SPEAKER: Yes.

Bengal Supervision of Orphanages and Widows' Homes Bill.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, may I say a few words about the submission of the report of the Select Committee on the Bengal Supervision of Orphanages and Widows' Homes Bill? The work of the Select Committee has been finished but the report has not been printed.

Dr. NALINAKSHA SANYAL: Sir, *ad interim* reports cannot be taken by surprise, without any notice.

Amendments to Bengal Legislative Assembly Procedure Rules.

Mr. SPEAKER: I think I committed a mistake. Leave was asked for introduction of amendments in the Bengal Legislative Assembly Procedure Rules, and I have given my consent. I think, there is no objection.

(No objection was raised.)

The Secretary then announced that amendments to Rule 54 and Rule 55 stand introduced.

Bengal Supervision of Orphanages and Widows' Homes Bill.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I was mentioning about the submission of reports of Select Committees——

Dr. NALINAKSHA SANYAL: On a point of order, Sir. There is no scope in the rules for anybody to introduce a matter that is not on the Order Paper; secondly, to give us a surprise of the nature of an *ad interim* report verbally without making the report available.

Mr. SPEAKER: I think, he is not placing before you the *ad interim* report.

Dr. NALINAKSHA SANYAL: On what item is he speaking then, Sir?

Mr. SPEAKER: What I am stating is that if an honourable member of this House stands up to say something, I have got to hear him. The matter may not be on the agenda, but I have got the power to grant permission to an honourable member to make a statement.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I was going to say something about the reports of the Select Committees on the Bengal Supervision of Orphanages and Widows' Homes Bill and the Bengal Secondary Education Bill.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. With regard to these two Bills no observation can be made.

Mr. SPEAKER: It is not a question of making observations.

Dr. NALINAKSHA SANYAL: Sir, we want notice. I submit that the statement my esteemed friend is seeking to make might embarrass us so much that it would be in the nature of a reference to the House of some irregularities. I implore you, Sir, not to allow this matter to come up before the House without notice.

Mr. SPEAKER: Your right will not in the least be prejudiced.

Kazi EMDADUL HAQUE: Sir, the *Asar* prayer time is going to be murdered.

Mr. SPEAKER: I was anxious to finish this matter in a few minutes.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, regarding the Supervision of Orphanages and Widows' Homes Bill, I want to say that the Select Committee has finished its work. As regards the Secondary Education Bill, I have already served notice that the time for submission of the final report of the Select Committee may be extended. That notice was circulated. Now, I ask your instructions as to whether I should move that motion today.

Mr. SPEAKER: I have already allowed this adjournment motion: therefore I am not going to permit anybody to move any motion. Before I adjourn for prayers I think I have got to fix the time for the adjournment motion. Before that I want to know from the House what would be the most suitable time for *Asar* prayer?

Maulvi MUHAMMAD ISRAIL: 4-30 p.m.

Mr. SPEAKER: In that case I shall henceforth adjourn the House for *Asar* prayer at 4-30 p.m. I fix the time for discussion of the adjournment motion at 6 p.m.

(At this stage the House was adjourned for 15 minutes.)

(After adjournment.)

Adjournment Motion.

Dr. NALINAKSHA SANYAL: Sir, I hope no apology is needed to introduce today, the first day of a prolonged session of the Bengal Parliament, a debate on one aspect of the food situation in the province which is agitating the public mind very seriously.

I beg to move that this Assembly do now adjourn to discuss a definite matter of urgent public importance and of recent occurrence, namely, the distress and panic prevailing in many parts of Bengal due to continued rise in the prices of rice and paddy from the beginning of December last, following the announcement of the Bengal Government's *Aman* Purchase Scheme based upon the appointment of a limited number of big Calcutta merchants as their chief agents for procuration.

Sir, one must be a very bold man indeed and I believe that even the boldness of my esteemed friend the Minister in charge of Civil Supplies

would fade into insignificance to assert in the face of stern realities and facts that prices in Bengal have not been rising up and that there is no distress or sign of panic in the province of Bengal due to the present situation in the prices of rice and paddy.

Sir, the Bengal Government take fullest responsibility for the policy that they are pursuing. There are many aspects of the food plan for 1944 which may have to be taken up at different stages for discussion. For the present, Sir, this evening I propose to confine myself to one aspect of the food plan which in my humble opinion overshadows all other aspects of the scheme, *viz.*, procurement through the assistance of a number of pet big Calcutta dealers who are appointed as so-called chief agents on behalf of Government. On the 1st December, 1943, Government announced their food plan for the new year. In the prelude to that plan Government emphasized that the main objects of the food plan are the restoration of confidence, sufficient control over the movements, distribution of supplies to ensure equitable distribution throughout the province and the continuance of price control for the purpose of reducing prices to lower and more economic levels. Before proceeding to speak any further, I would ask the honourable members generally and the Hon'ble Minister in charge in particular to ponder and realise if either two of these objectives, if not all the three, have been realised or are likely to be and on the way to realisation, *viz.*, creation of public confidence and the lowering of prices. In a Press Note issued by the Government on the 24th November, 1943, Government admitted that in most places rice was offered for sale at a price considerably below the ceiling price then fixed. It was also stated in the same Press Note that Government agents refused to purchase rice even at Rs. 17 per maund in the district of Midnapore and rice was available in the Tangail subdivision at between Rs. 12 and Rs. 13 per maund, in Patuakhali at Rs. 16 per maund, in Brahmanbaria at about Rs. 12 per maund, in Midnapore at Rs. 16-8 per mund and so on. I would like members of this House who come from various parts just to examine whether the present prices are anywhere near the prices which Government themselves had then announced.

Sir, Government decided upon this measure of procuration some time towards the latter part of November. In the third week of November, the Hon'ble Minister in charge of Civil Supplies called together the Party Leaders of this House and a few others to discuss certain features of their scheme. Sir, although there was some difference of opinion about the advisability of purchase by Government or advisability of purchase at that stage, there was hardly any difference on this point that even if Government decided to buy and procure grains for various purposes, they should try to buy through local dealers and local agencies and not under any circumstances through big agents from outside, *viz.*, from Calcutta. This was the opinion, because, in the first place, it was made clear that the very objective that Government wanted to achieve, *viz.*, the creation of public confidence, would be frustrated as soon as big dealers like Messrs. Shaw Wallace & Co. or Ispahanis or any other big merchant X and Y, would go to the area and irrespective of local needs and requirements would go to any

area with their intention to purchase as they did on the previous occasion. It was also universally suggested that instead of this idea Government should, if they were convinced of the necessity of procurement, ask the local officials to select from amongst local dealers persons of integrity and financial stability and through such traders alone to effect their purchases both for holding such stock in the deficit areas as would be necessary as well as for collecting surpluses for the purpose of helping deficit areas. In spite of such clear indication of the views of the various sections of this House, Sir, Government rushed in a mad venture by appointing a limited number of their proteges for purposes and for reasons best known to themselves.

Sir, I have tried to examine the various possible arguments that may be put forward in support of such a measure and I can with all humility submit that I have tried to put the Government case before me 100 per cent. without any bias and in spite of my honest effort I have not been able to convince myself nor have many friends in the Government party with whom I have discussed the question been able to convince me or their own selves about the propriety or necessity of having a limited number of big purchasing agents sent round from Calcutta like vultures to fall on the poor rural areas of Bengal to denude them of their morsel of food and thereby to create a situation which might beggar the descriptions and sufferings that we had on a previous occasion.

Sir, the Hon'ble Minister in charge earlier in the day suggested that there was no rise in prices. I would make a present to him of newspaper reports gleaned from various newspapers from time to time and, Sir, these newspaper reports are from certain news agencies that are considered by Government to be most dependable and that are flourishing under Government patronage. At Jhargram the price of rice on the 29th November had fallen below the controlled rate. On the 29th November the price of rice in Jessore had gone down to Rs. 16 and Rs. 13 from about Rs. 25 a week previous to that. These are from Associated Press reports. Similar reports came from Chinsura, Brahmanbaria, Kamalaghat, Manikganj, Suri and Noakhali. I am not for want of time giving you any details of the reports, but if, Sir, any member of the Government has the temerity or audacity to challenge, I will throw at his face these reports day by day.

Sir, the Government scheme was made known early in December and immediately thereafter like magic working throughout the province, prices at once began to rise.

On December 7 the Associated Press reports that rice has again disappeared from the Jessore market since some days past. Scarcity of rice and other essential food occurs.

Kushtia, December 6.—United Press report published in the *Amrita Bazar Patrika* of 12th December, 1943—

"Scarcity of rice prevailing here. Government has released some stock of rice at Rs. 17-8 per maund to bring it down."

Jalpaiguri.—Coarse rice is being sold on December 11 at Rs. 14. Prices have a tendency to go down.

Pabna, December 11.—The rate varies from Rs. 12-8 to Rs. 16 and the report is that prices have a tendency to come down.

I give the other side of the picture as well, so that friends in this House might not feel that I am trying to collect statistics on my side only to give a wrong picture to the House. I will presently show how Jalpaiguri and Pabna reacted later on.

Mymensingh, December 14.—A report from the Associated Press published in the *Amrita Bazar Patrika* of 19th December comes thus: "Contrary to expectation the price of new *aman* rice has suddenly begun to rise. Price of ordinary rice varies from Rs. 20 to Rs. 22."

Serajganj, December 15.—The report is from the Associated Press: "The price that had come down a bit in the beginning of the month is now on the rise again. New rice now sells at Rs. 20 a maund." *Mymensingh* now, after a short period of falling tendency reports on December 19: Rice scarcity. No rice is being imported into the town for the last seven days.

At Pabna where the price had shown a tendency to go down, the District Magistrate had ordered the sale of rice at the controlled rate of six annas per seer. Following this rice disappeared from the market. Rice was being sold at seven annas per seer at retailed shops.

The Hon'ble Mr. Suhrawardy, Minister in charge of Civil Supplies, at a speech at Munshiganj which was reported in the *Amrita Bazar Patrika* and in the *Ananda Bazar Patrika*, said on the 3rd of December that price of rice would soon come down to Rs. 12 only, and from that Munshiganj on December 23 reports come through the United Press: "Rice situation has again deteriorated and the price has again gone up to Rs. 27 per maund." Sir, similar reports have come from Uluberia, from Dinajpur, and from Berhampore, which had probably seen the lowest limit and where the price came down to a little above Rs. 10, but it rose up to Rs. 16 there. I got similar reports also from Jiaganj, Sandwip, Contai, Ranaghat, Krishnagar. From Krishnagar, 24th December report comes as follows:—

কৃষ্ণনগর ২৪শে ডিসেম্বর।

পূর্ব্বে চাউল প্রতিমণ ১৫৲ টাকা মূল্যে বিক্রয় হইতেছিল, এখন মূল্য বৃদ্ধি পাইয়া প্রতি মণ ১৬৲ টাকা বার আনা মূল্যে বিক্রয় হইতেছে।

FURTHER FROM BRAHMANBARIA:—

ব্রাহ্মণবাড়ীয়া, ১৭ই জানুয়ারি।

ব্রাহ্মণবাড়িয়া মহকুমার বিভিন্ন স্থানে চাউলের মূল্য ১৬৲ টাকা হইতে ২১৲ টাকার মধ্যে।

FROM SANDWIP, 15TH JANUARY:—

সন্দীপ, ১৫ই জানুয়ারী।

চাউল সাড়ে বাইস টাকা দরে বিক্রয় হইতেছে।

Further, Sir, in January we find still further rise and the report coming from Dacca says that the price has gone up from Rs. 20 to Rs. 23 and so on, *i.e.*, by two to three rupees more a maund. In Noakhali the price has gone up from Rs. 20 to Rs. 24. In Chittagong rice is selling at 1½ and 1¾ seer per rupee. At Suri where there had definitely been surplus rice and the price had gone down, the price went up to Rs. 16 per maund. Reports come from Bhola that price has gone up to Rs. 18 and so on.

Sir, I submit that Government should not play with the lives of the people in this manner. There should be a better and more serious approach to the question. The number of persons appointed as agents is the main reason for this and hence my adjournment motion.

(The member having reached the time-limit resumed his seat.)

Mr. SASANKA SEKHAR SANYAL: Mr. Deputy Speaker, Sir, I associate myself with every word that has just been spoken by Dr. Sanyal, and I hope that Mr. Suhrawardy will not meet the facts by merely using parliamentary words against him. Sir, no more serious situation probably could have fallen upon the province like this than it has today. We know that Government have difficulties. We know that they cannot control the entire field of laws of demand and supply. We know, Sir, that even with recent experience they may have to face again a similar failure. But then if that is the position we expect that Government would take us into confidence not for the administration of the food problem so much as for explaining the actual situation, so that panic and misgivings may to some extent be mitigated. Sir, we know that we are in a minority in this House, but at the same time we have this right to remind the Government and the League Party which supports the Government that the question that has been proposed to be mooted on the floor of the House by the motion moved by Dr. Sanyal is neither a party question nor a question of political slogan or political creed. It is a question which involves the lives of the people who are not merely behind the Opposition benches but who are also behind the pretty numerous heads which are adorning the Treasury benches. There are certain facts which cannot be ignored. When Messrs. Ispahani, Ltd., went out of the market, rice began to come in the market of Bengal and probably in a surfeit. Purchase was to some extent discontinued for some time, and the result was that there was decline in the price of paddy and rice. I am speaking upon my own authority from my experience in the mufassal that even before the bumper *aman* crop in my district Murshidabad was harvested—in Murshidabad fabulous crops were grown this year—even before a portion of that bumper crop was harvested, prices had gone down and simultaneously with the removal of Ispahani from the scene, rice was selling at the pre-war level and as soon as the new crop was harvested,, the price did go down further, and before the advent of these vultures, as Dr. Sanyal has just now characterised them, and I must describe them as dogs if parliamentary etiquette permits that——

Mr. DEPUTY SPEAKER: No, no, Mr. Sanyal. Parliamentary etiquette does not permit that.

Mr. SASANKA SEKHAR SANYAL: All right, Sir, I withdraw that expression. Sir, these greedy merchants who enjoyed the favour of a reckless Government entered into the field and soon after that prices went up, and do you know, what happened in the meantime? In the meantime, there was a regular propaganda by the sub-agents of the Government agents that there will be no purchase by Government this year and this was an inducement for the stockists to release their store of paddy and rice. Whatever may be the propriety or justification of this propaganda, for one week price did come down and as soon as it came down to Rs. 10 per maund, these sub-agents of the Government agents fell upon the market. They advanced money and then in the course of 24 hours—I am speaking from my own purchase—rice which was selling at Rs. 10-4 one day, and which I personally saw in the urban market, at once went up to Rs. 13-8 on the next day and in the course of three days more—Dr. Sanyal is not right when he says that it went up to Rs. 16—I say the price of rice went up to Rs. 20 per maund, and at that time there was no propaganda. I approached the authorities asking them to dissuade both these official contractors and their sub-agents who were not official contractors. I asked them to intervene so that the middle class people who have not got their own produce and who have not got their own lands to live upon could make their purchase at that time. I also asked Government, explaining the matter so that these stockists did not sell their commodities to the Government agents. But they did not move an inch: rather—I want Mr. Suhrawardy to take notice of these facts—the Government officials gave direct and indirect encouragement to the Government agents and sub-agents to control the market in that way. And today, Sir, the position all over Bengal is that in spite of the bumper crop prices are not only not lower than before but are even now going up. What is the reason for this? Let us not quarrel over facts. The facts are there. I do not know if Mr. Suhrawardy himself has any knowledge of purchases by himself or by other persons, but this House consists of members who have at least personal knowledge of these things and I expect members of the Government Party who have also personal knowledge to persuade Government to base their policy and their programme upon facts and not upon fiction and upon party interests. These are the facts that although we are in the midst of the greatest crop possible for a province, still the prices are going higher up. These are facts which have to be remedied. What is the programme now adopted by Government? The programme, if it can be described as such, is absolute drift, and nothing more. The Hon'ble Mr. Goswami after the assumption of office by the present Ministry addressed a big gathering near the Ochterlony Monument at which the Hon'ble Khwaja Sir Nazimuddin was present and he held out hopes that in the course of a week the distress would be over. Instead of a week, more than a year has passed. In the meantime, if distress has disappeared at all, it is only the distress of persons who are adorning the Treasury Benches has disappeared.

The Hon'ble Mr. H. S. SUHRAWARDY: The honourable member's distress has also disappeared.

Mr. SASANKA SEKHAR SANYAL: The occupants of the Treasury Benches will rather look to their own affairs and their own interests.

The Hon'ble Mr. H. S. SUHRAWARDY: And your interests also.

Mr. SASANKA SEKHAR SANYAL: I am not taking part in this debate in any spirit of acrimony and I hope Mr. Suhrawardy will try to rise a little higher to the occasion and meet the situation which prevails today. I shall leave personalities alone. Let Government face the facts. Let Government which cannot help themselves take the help of those who can give advice. We on the Opposition are interested more in the lives of millions than in the office which the Hon'ble Ministers occupy. We are giving this word of honour that if they are in a mood to take advice we shall always give advice. It seems they had some difficulties and they had some hitch with superior authorities. We read amusing reports in the press than the Provincial Government want to be rid of a certain *persona grata* in the Central Government. We do not know whether all that is correct or not. But we know that behind this turmoil of official conflicts there is the fact that the province is going deeper and deeper into the mud of distress and it is high time that Government should exert themselves at least for once in rescuing the unfortunate people. Well, I am repeating that if this Government want to be guided we are here to guide them. If this Government are determined to embroil themselves merely by folly, by fiction and by imagination and unrealities, we cannot help them. But we must convey our protest on behalf of dumb millions.

(At this stage, the House was adjourned for 15 minutes.)

(After adjournment.)

Mr. CIASUDDIN AHMED: Mr. Deputy Speaker; আজ এই Houseএ ডা: নলিনাক্ষ সান্যাল যে adjournment motion move করেছেন তার পক্ষে বলতে উঠে আমি প্রথমেই বলিতে চাই যে একথা আমরা সকলেই জানি, এবং গভর্ণমেণ্টও স্বীকার করেছেন যে এ বৎসর বাংলা দেশে আমন ধান বেশ ভাল জন্মেছে। এবং সঙ্গে সঙ্গে একথাও সত্যি যে কলকাতার বিরাট খরচ এবং কলকাতার পার্শ্ববর্ত্তী Industrial arearর জন্য যত খাদ্য-জিনিষের প্রয়োজন তার ভার Central Government নিয়েছেন। এসব সত্ত্বেও বর্ত্তমানে আমাদের বাংলা দেশে ধান এবং চালের দাম অত্যন্ত বেশী অর্থাৎ যা দাম চলছে তার চেয়ে অনেক কম হওয়া উচিত ছিল। যখন ধান কাটা হচ্ছিল তখন বাস্তবিক-পক্ষে আমরা খবর পেয়েছিলাম পত্রিকার মারফত এবং লোক মারফতে যে বাংলার প্রায় সর্ব্বত্রই ধান এবং চাউলের দাম কম হয়েছিল। কিন্তু বর্ত্তমান বৎসরে আমন ধান ভাল জন্মান সত্ত্বেও এবং কলকাতার ও তার পার্শ্ববর্ত্তী arearর খাদ্যের ভার Central Government কর্ত্তৃক নেওয়া সত্ত্বেও কেন আজ বাংলা দেশে ধান ও চালের দর এতটা বেড়েছে? তার জন্য একমাত্র দায়ী আমাদের বর্ত্তমান মন্ত্রিমণ্ডলী যাদের পক্ষ থেকে ঘন ঘন খাদ্যশস্য সম্পর্কে সার্কুলার জারি করা হয়ে থাকে। বর্ত্তমান মন্ত্রিমণ্ডলের ঘন ঘন সার্কুলার জারি করার ফলে বাংলার জনসাধারণ বাস্তবিকই আতঙ্কিত হয়েছে। কারণ খাদ্যের ব্যাপারে তাদের ইতিপূর্ব্বে অতি তিক্ত অভিজ্ঞতা আছে। ইতিপূর্ব্বে বর্ত্তমান মন্ত্রিমণ্ডলী যখন তাঁদের মন্ত্রীত্বের গদীতে আসন গ্রহণ

করেন তখন খাদ্য-মন্ত্রী মাননীয় সহরওয়ার্দ্দী সাহেব statement করেছিলেন সেই statementএ তিনি বলেছিলেন—যে বাংলা দেশে খাদ্যের অভাব নাই। ঐ একটি মাত্র statementএর ফলে এবং সেই সঙ্গে তাঁর anti-hoarding drive movementএর ফলে বাংলা দেশের মফঃস্বল হইতে খাদ্যশস্য উধাও হয়েছিল। তাঁর সেই Policyতে বাংলা দেশ খাদ্যশস্য-শূন্য হয়ে যাওয়ার ফলে বাংলার লক্ষ লক্ষ লোক অনাহারে মৃত্যুমুখে পতিত হয়েছে। সে করুণ কাহিনীর কথা এখানে আমাকে আর বোলে দিতে হবে না সে কথা বাংলা দেশের সকলেই জানে এবং শুধু বাংলা দেশ কেন পৃথিবীর প্রায় সকল দেশের লোকই একথা আজ অবগত হয়েছে। বাংলার যে মন্ত্রিমণ্ডলী বর্ত্তমানে গভর্ণমেণ্ট চালাচ্ছেন তাদের কৃতকর্ম্মের ফলেই যে বাংলার লক্ষ লক্ষ লোক মোরে গেছে একথা সকলেই স্বীকার করিতে বাধ্য হইবে। সেই জন্য আমি বলতে চাই যে খাদ্য-সমস্যার ব্যাপারে বাংলা দেশময় যে একটা আতঙ্কের সৃষ্টি হয়েছে তার কারণ গভর্ণমেণ্ট আমন ধান খরিদ করার যে policy গ্রহণ করেছেন তা'তে জনসাধারণ মনে করে যে গত বৎসর গভর্ণমেণ্ট নিজের Agentএর দ্বারা খাদ্য-শস্য ক্রয় করার ফলে আমাদের দেশে যেমন দুর্ভিক্ষ হয়েছিল, এবারও যদি গভর্ণমেণ্ট সেইরূপ purchase করেন তাদের agentএর দ্বারা তাহলে এবারও আমাদের দেশে দুর্ভিক্ষ অবশ্যম্ভাবী।

আর একটা কথা—আজও এখানে মাননীয় সোহ্‌রাওয়ার্দ্দী সাহেব বলেছেন যে আমাদের বাংলা দেশে কোন distress নাই এবং খাদ্যমূল্যও বাড়ে নাই। আমি তাঁকে জিজ্ঞাসা করছি—আমন ধান যখন কাটা হচ্ছিল, তখন বাংলা দেশের প্রত্যেক জেলায় আমন ধান এবং চালের যে দাম ছিল তার চেয়ে দাম বর্ত্তমানে মণ প্রতি ৩।৪ টাকা বেড়েছে কি না? সেটা যে বেড়েছে তাতে কোন সন্দেহ নাই।

The Hon'ble Mr. H. S. SUHRAWARDY: আমি একথা কখনো বলি নাই।

Mr. GIASUDDIN AHMED: আচ্ছা বেশ, তাহলে আপনি স্বীকার করছেন যে দেশে distress আছে।

The Hon'ble Mr. H. S. SUHRAWARDY: নিশ্চয়ই।

Mr. GIASUDDIN AHMED: আচ্ছা, ভাল কথা। সেজন্য আমি আপনাকে ধন্যবাদ দিচ্ছি।

The Hon'ble Mr. H. S. SUHRAWARDY: অনেক লোক আছে যে এই দরে চাল কিনতে পারে না, আমি কি তা জানি না?

Mr. GIASUDDIN AHMED: ভাল কথা উনি স্বীকার করছেন যে বর্ত্তমানে দেশের মধ্যে distress আছে। সে সম্বন্ধে আমি বোলতে চাই—বর্ত্তমানে দেশের মধ্যে ধান-চালের যে দর তাতে বাংলা দেশের জনসাধারণের ভিতর যারা ধান-চাল উৎপাদন করে তাদের ভিতরও এমন অনেক কৃষক আছে যারা ভূমিহীন, তার উপর এমন এক শ্রেণী আছে যেমন জেলে, কামার, কুমার প্রভৃতি class, গতবৎসর সাহায্য বিতরণকেন্দ্রে আমি ঘুরে ফিরে দেখেছি, বিশেষ কোরে জামালপুর এলেকায় দেখেছি, তাদের দুরাবস্থা বর্ণনাতীত। বিশেষ কোরে হিন্দু-মুসলমান জেলে classএর অস্তিত্ব পর্য্যন্ত লোপ পেতে বসেছে। অর্থাৎ যারা দিনমজুরী কোরে খায় তাদের অস্তিত্ব নাই। বর্ত্তমানে যে দর বাধা হয়েছে সে দরে চাল কেনবার purchasing capacity তাদের নাই। গত বৎসর যত লোক না খেয়ে মরেছে বর্ত্তমান বৎসরেও যদি ধান-চাল এবং

অন্যান্য খাদ্যশস্যের দর না নামে এবং নামার মতন উপযুক্ত ব্যবস্থা না করা হয় তা'হলে এ বছরেও যে অনেক লোক না খেয়ে মারা যাবে তাতে কোন সন্দেহ নাই। সেইজন্য আমি বর্ত্তমান মন্ত্রিমণ্ডলীকে বিশেষ কোরে মাননীয় সুরাবর্দ্দী সাহেবকে সাবধান করছি তাঁরা যখনই সার্কুলার জারি করবেন এবং খাদ্য-সম্পর্কে যখন কোন policy স্থির করবেন তখন যাতে বাংলা দেশের প্রকৃত মঙ্গল হয় সেটা বিভিন্ন দলের নেতাদের সঙ্গে পরামর্শ কোরে যেন স্থির করবেন। আমি পূর্ব্বেই বলেছি তার একটি মাত্র খামখেয়ালী statementএর জন্য বাংলা দেশের লক্ষ লক্ষ লোক মারা গেছে। সেই জন্য আমি তাঁকে যা তা সার্কুলার জারি না করার জন্য সাবধান করতে চাই।

আর একটা কথা হচ্ছে এই যে বিভিন্ন জেলা হতে ধান-চাল কেনার জন্য যে সব agent তাঁরা নিযুক্ত করেছেন সে সব agent সম্বন্ধে ইতিপূর্ব্বে এই Houseএ অনেক আলোচনা হয়েছে। তারা যে জনসাধারণের মঙ্গলের দিকে লক্ষ্য রেখে ধান-চাল খরিদ করে নাই, তার প্রমাণও পাওয়া গেছে। তারা নিজেদের সুবিধার জন্য জনসাধারণের জীবন লয়ে ছিনিমিনি খেলেছেন, কাজেই তাদের প্রতি এবং তাদের কার্য্যকলাপের প্রতি কাহারও বিশ্বাস নাই বিশেষ করে তাদের প্রতি আমাদের জনসাধারণের ধারণা অত্যন্ত খারাপ। কারণ যেসব agent তাঁরা নিযুক্ত করেছেন তাঁদের গত বৎসরের কার্য্যকলাপের ফলে—যদিও গভর্ণমেণ্ট বলেছেন যে বাংলা দেশের ধান চাল বাইরে যায় নাই, তথাপি আমাদের বিশ্বাস যে সেই agentরা বাংলা দেশ থেকে ধান এবং চাল সরিয়েছে এবং সে ধান-চাল কোথায় গিয়েছে আমরা জানি না। বর্ত্তমান মন্ত্রিমণ্ডলী যে anti-hoarding drive করেছিলেন তখন আমরা এ পক্ষ থেকে বার বার বলেছি যে anti-hoarding driveএর যে result সেটা publish করুন। কিন্তু আজ পর্য্যন্তও আমরা সে result পাই নাই। কাজেই বর্ত্তমান মন্ত্রিমণ্ডলী ধান-চাল কেনবার জন্য যে সব agent নিযুক্ত করেছেন তাদের সম্পর্কে আমাদের জনসাধারণের যখন খারাপ ধারণা আছে তখন সে সম্বন্ধে তাঁরা সাবধান হবেন।

Mr. I. D. JALAN: Mr. Deputy Speaker, Sir, I beg to support the motion moved by Dr. Sanyal in this House today. As a matter of fact whenever a question arises in this House and a charge is made against the Government, an attempt is always made to whittle it down on the ground that it is a canard of the Opposition always to attack Government for nothing. That is not the right way of dealing with this most essential problem which is confronting this province If the Minister always think that the criticisms of the Government are not *bona fide* but *mala fide*, then the Opposition loses all its utility in this House. It is rather unsafe for the Hon'ble Minister to presume that everybody else who says something contrary to what the Minister says is doing so for purely political reasons. That is an attitude which ought not to be taken by a person who happens to be a Minister of the Government in charge of important affairs of the province. We are having reports not only in one newspaper but practically in all the newspapers that so far as prices are concerned they are rising and are not showing a downward tendency. Some time ago the *News Chronicle* published a news for which the Bengal Ministry had to issue a statement but in reply to that statement the papers of Calcutta published facts and figures into which I need not go that it is not correct

for Government to say that the prices are not rising. Therefore, unless and until people are satisfied that prices are not rising as a matter of fact, it is not for us to assume that what the Minister says is correct. So far as the appointment of the chief agents are concerned, the statement which the Ministry has issued shows how they have ignored the persons who have had long experience in the rice trade. As regards the qualifications of one of the agents, it is mentioned that they were doing the rice trade six or seven years ago. So far as the firm of Ispahanis is concerned it is needless to waste the time of the House in reiterating what has been stated so often in this House, but if you see the list, you will find that practically they are the ruling factors so far as rice purchase is concerned. I find there is no reason to doubt that there is an attempt on the part of the Government to destroy the normal trade channels which bring the supply of rice to villages and cities. There are innumerable merchants who have been in the rice trade for many years but at this critical time Government is going to depend only on four chief agents whom they have appointed as such for carrying on the purchases on behalf of the Government. So far as the Government are concerned, they ought to have arranged for the procurement of rice through the normal trade channels instead of throwing the people at the mercy of a few merchants and their sub-agents who will now purchase rice and solely control the rice trade. So far as the attempt on the part of the Government to control the price of rice is concerned, we have got our sympathies with the Government but we cannot but draw the attention of the Government to the fact that prices have not come down but have gone up on account of the method adopted by Government for the procurement of *aman* crop. I do not wish to say anything more on the subject, but I hope the Hon'ble Ministetr will weigh the facts of the case before he justifies the action he has taken.

Dr. SYAMAPRASAD MOOKERJEE: Mr. Deputy Speaker, Sir, the adjournment motion refers to the tendency of rise in the price of rice in this province. Sir, it is not within the scope of this motion to discuss the tragic failure of the Bengal Government in tackling the famine crisis in 1943. But, Sir, it is a matter of deep regret and anxiety that in spite of the assistance which has been offered to this province by the Government of India and also the admittedly bumper winter crop with which Nature has blessed this province, there are no clear indications that we have really turned the corner. Mr. Suhrawardy interrupted the mover of the adjournment motion when he said that price of rice was rising in many parts of the province. Dr. Sanyal referred to some extracts from newspapers. I shall not do so but shall refer to some extracts from the *Calcutta Gazette* which I believe is yet the official organ of the Government of Bengal. If you, Sir, analyse the statistics published in the Gazette since December, 1943, right up to the last week you will come across certain staggering facts, facts which require most careful consideration at the hands of the public and Government, which certainly indicate that things are not moving in the direction in which they should. These figures, which are called Weather and Crop Report for every week, give us details of the ruling

prices of rice in different parts of the province and also the character of the weather, conditions of crops, etc., by the Agricultural Department of the Government of Bengal. I have analysed here the figures for 87 districts and subdivisions and the conclusions stand as follows: With regard to 26 of these districts and subdivisions the rates are static; with regard to 13, no information is available, and those 13 include certain areas regarding which from the personal knowledge of many of the members present in this House we can say that prices are rapidly rising—they include Narayanganj, Manickganj, Munshiganj, Comilla, Brahmanbaria, Chittagong, Katwa and some parts of Jessore. There are 13 districts and subdivisions where prices show a steady tendency of rise and there is at the foot-note this observation made by the Agricultural Department, namely, rice can scarcely be had in the open market at the controlled prices. In other words, the only market that rules in these areas is the black market, and according to the statistics disclosed by the Government, no rice is available in the open market in as many as 13 districts and subdivisions.

Now, Sir, I do not think it is any use Government trying to hoodwink the public by stating that price of rice has not started rising up. It is rising and we ask what is the reason for it? Time will not permit us to discuss in detail the various factors which are contributing to this unfortunate state of affairs. One of them undoubtedly is bankruptcy of Government's policy and inefficiency of its administration.

Now, Sir, procurement on the part of the Government went on from the last several months. Government freezed rice; Government seized rice; Government purchased rice; and that seized and freezed and purchased rice stock was kept standing by while thousands and lakhs of persons died of starvation. If the Hon'ble Mr. Suhrawardy has the courage he may take the House and the public into confidence and disclose how many lakhs of maunds of rice which were seized or freezed or bought according to the then procurement policy of Government are still lying undistributed. A telegram has been handed over to me today which has not been allowed to be published in the newspapers of Bengal sent by the Chairman of Jessore Municipality. The telegram was sent two days ago to the Food Member of the Government of India and copies were sent to the Chief Minister, the Food Minister of Bengal, to the Governor of Bengal and to other officials. It is just an illustration of the utterly inefficient and dishonest maner in which the province is being administered today. The telegram runs as follows:—

"Two lakh maunds of paddy forcibly obtained from poor cultivators ——." (The Hon'ble Mr. H. S. SUHRAWARDY: Nonsense.) Nonsense is a word which you should keep in your own pocket.

"Two lakh maunds of paddy forcibly obtained from poor cultivators leaving little or no surplus for their families or for seeds have been lying in bags uncared, unprotected on open station platforms from Gopalnagar to Bejerdanga railway stations, Jessore, Bengal, last three months while people around are starving because of exorbitant price of rice. Already

wet twice. Today's heavy shower practically destroys them. Greater misfortune unimaginable pray for immediate enquiry and action."

This comes signed by the Chairman and another responsible citizen.

Dr. NALINAKSHA SANYAL: I stand by this statement. I have seen the bags myself.

The Hon'ble Mr. H. S. SUHRAWARDY: I have seen them myself also.

Dr. SYAMAPRASAD MOOKERJEE: There are several members who arrived at Calcutta today or yesterday and who were telling me just now that as they were coming to Calcutta by train they saw the huge stocks of paddy lying on the station platforms completely soaked and almost utterly unfit for any consumption.

Now, Sir, the policy of the Government today is procurement of so-called surplus. Mr. Suhrawardy in a recent Press Statement has stated that there are many people in the province who are incapable of purchasing their foodgrains even at the prevailing price. That is a true picture. Now, Sir, the reports which are coming to us from almost all parts of the province indicate that there are lakhs of families which are incapable of maintaining themselves even though the price of rice falls to Rs. 10 per maund. Many of them are persons who have lost their capacity for earning anything. Many of them are persons who have the capacity but who have not the means to earn their living. We ask Government, Sir, what is its policy and how is that policy being given effect to for saving these lakhs of people in this province? Procurement, it is said, is based on consideration of adequate and equitable distribution. So far as our experience in the past is concerned, it clearly indicates that Government has no scheme for equitable distribution of whatever rice or paddy it may collect. Even today the House should demand from the Food Minister a clear explanation of the state of affairs in these districts and subdivisions in Bengal where price is rising and where the supply has become inadequate. We were summoned to a conference at Writers' Buildings before the procurement policy was fixed up and we advised Government that it was our deliberate opinion that in order to restore confidence in the minds of the people of Bengal Government should abandon its mad policy of procurement which had definitely failed during the last few months. But Government was not prepared to listen to that advice. What we said was that Government should utilise the normal trade channels by imposing every possible condition so as to prevent corruption, profiteering, dishonesty and hoarding. Government itself has proved to be the worst hoarder imaginable. Government has allowed stocks to remain hoarded without coming to the rescue of the starving and dying people of the province. And today with the responsibility undertaken by the Centre to feed nearly three million people we find the staggering spectacle of a coming disaster due to the inefficiency, corruption and dishonesty of the Ministry. What we suggested was that if Government wanted to carry on its procurement policy it must take simultaneous responsibility for feeding every section of the people and there

cannot be any compromise on that issue. Today in January, 1944, in spite of the responsibility undertaken by the Central Government to feed more than three million people, in spite of this huge bumper crop with which Nature has blessed the province, if Government cannot control the ruling prices, if Government cannot stop black-marketing in January, 1944, how on earth we ask is Government going to control affairs in the coming months. Mr. Suhrawardy has only one answer to give and he blurted out certain remarks when the motion for adjournment was being moved, namely, that due to the tactics adopted by some persons and parties Government was meeting with obstacles with regard to its procurement policy. It will not do for Mr. Suhrawardy to give that answer when facts stand against him and the administration which he represents.

Sir, with regard to the Calcutta rationing scheme, the procurement policy is also failing here because of the rotten quality of rice which is now being distributed through many of the Government stores and private shops in this city. Here again there is one pertinent question which I would like to ask Mr. Suhrawardy. The Government of India has undertaken to supply the required quantity of rice for use of the people of Calcutta and industrial area Where is this stock being kept? Who are the stockists of the grains which are coming from the Government of India? Are these the same stockists who were appointed as Provincial Agents for months past? If the answer is in the affirmative, then may I enquire what steps has the Ministry taken in order to ensure that the rice which comes from the Government of India does not get mixed up with the stock that was being kept by the Provincial Agents— —

(At this stage the red light was lit.)

Sir, I shall finish in a minute.

Mr. DEPUTY SPEAKER: I am sorry I have no power to extend the time for discussion of this adjournment motion. It was arranged that you must finish your speech in 15 minutes.

Dr. SYAMAPRASAD MOOKERJEE: Is my 15 minutes' time over?

Mr. DEPUTY SPEAKER: Yes.

Dr. SYAMAPRASAD MOOKERJEE: All right, Sir. I shall resume my seat.

Mr. BIRAT CHANDRA MANDAL: Mr. Deputy Speaker, Sir, the adjournment motion moved by Dr. Nalinaksha Sanyal has clearly stated the present position of Bengal. The Hon'ble Minister for Civil Supplies is trying to hoodwink the public and the members of this House with regard to the present position of foodgrains in Bengal. He says that there is no rise in prices in the market but actually, Sir, there has been a great rise. During the last two months, I went to Faridpur Sadar and I found the agents and brokers employed by the Government of Bengal to make purchase of rice

and in the dak bungalow they were allowed to live for months together. I made enquiries in the local markets and gathered that as soon as these people began to purchase the prices suddenly went up.

The real position is this that the Minister can no longer hoodwink the public. He has already committed a heinous crime because it is a question of life and death. A great number of people in my constituency have died. The Minister can be called a murderer because it is due to his negligence and by preaching the false gospel of security.

Mr. DEPUTY SPEAKER: I think, Mr. Mandal, that you should not use the expression "murderer".

Mr. BIRAT CHANDRA MANDAL: I am not calling him a murderer, but I say that he deserves that name.

Mr. DEPUTY SPEAKER: I hope that members will not use strong words, because it is obvious that strong words will not lower the price of rice. (Laughter.)

Mr. BIRAT CHANDRA MANDAL: For the sake of parliamentary courtesy, I may withdraw that word, but the thing is this that the sin is so great and so heinous that he deserves to be lynched, because millions of people are dying in this province. He says that there is no famine, no trouble, nothing of the kind. In my district, his own people—I mean the Muhammadans—have died in the greatest number. Next come the Hindus. Then amongst the Hindus the Scheduled Castes have died in greater number. The position is——

Mr. DEPUTY SPEAKER: It would be better if you now come to the point, namely, about rise in price.

Mr. BIRAT CHANDRA MANDAL: Yes, Sir. My point is that the Hon'ble Minister in charge of the Civil Supplies Department has bungled the whole affair of prices of foodgrains in Bengal. (Mr. RASIK LAL BISWAS: What about the Bengal Relief Committee?) It has done well. The Faridpur district has got rice and garments worth Rs. 2 lakhs from the Bengal Relief Committee and Hindu Mahasabha. (Maulvi MUHAMMAD ISRAIL: It is strictly limited to the Hindus.) Your great boss, namely, Mr. Jinnah had the courtesy to send only Rs. 5,000 for the whole of Bengal. (Interruptions from Coalition party benches.) My district perhaps would not get more than Rs. 500 out of that Rs. 5,000. (Renewed Interruptions.) You ought to be ashamed. (Maulvi MUHAMMAD ISRAIL: He is not a capitalist like you.)

The point is this that the situation in Bengal is so grave that we can no longer allow the Government to work in such a way.

We must warn the Government to be serious on this subject of foodgrains. Unless the Government adopt serious measures to control prices and make better arrangements for food-supply in the country, I must say that the steps which they have taken will be of no avail. The Ministers think

that they are masters of the situation. But there is a great Master over all masters on the face of the globe. They ought to remember that they are killing a very large number of human beings and that they must pay the price for the same.

Mrs. NELLIE SEN GUPTA: Mr. Speaker, Sir, I wish to support Dr. Sanyal's adjournment motion. I cannot understand how Mr. Suhrawardy can say that there is no panic over the rice question and that everything is all right. I had been travelling round Chittagong and I found a very different story altogether. One morning while moving round and feeling extremely depressed about the situation I suddenly found in the paper a broadcast from Mr. Mullick that the famine was over and everything was right "with the world". What I read in Mr. Mullick's broadcast did not remove my depression because I had just seen what the price of rice was. I was myself buying rice for distribution and do not think that I paid more than I should have done in any place but in no case could I buy rice at the rate of more than 7 seers per rupee. In many places it was 6 seers (*kutcha*) which meant only 5 seers. If Mr. Suhrawardy or Mr. Mullick can say that there is no cause for panic I disagree with him entirely. Rice at that price and the price of other things everywhere we moved about show that there is a very great feeling of panic. Wherever I moved I felt that the situation would become much worse than that which had passed.

With these few words I support the adjournment motion of Dr. Sanyal.

Maulvi IDRIS AHMED MIA: Sir——

Mrs. NELLIE SEN GUPTA: Mr Deputy Speaker, on a point of personal explanation. I understand that I said 7 seers to the rupee. I meant 7 *poas* to the rupee and in many places 5 *poas* only to the rupee.

Maulvi IDRIS AHMED MIA: গভর্ণমেণ্টকে অযথা আক্রমণ করার উদ্দেশ্য আমার নাই। কিন্তু যে কোন বুদ্ধিমান লোক বুঝতে পারবেন যে ধান চাউল ক্রয় করা এখন গভর্ণমেণ্টের উচিত হবে না। এই যে ধান চাউল ক্রয় করবার ব্যবস্থা হয়েছে এর দ্বারা কয়েকটি agent, sub-agent ও তাহাদের চেলাচামুণ্ডারা মোটা টাকা চুরি করবার সুযোগ পায়। গভর্ণমেণ্টের ও লোকের এতে কোন লাভ হয় না। আপনারা জেনে রাখুন গভর্ণমেণ্টের ধান চাউল ক্রয়-নীতির ফলে ধান চাউলের দাম যদি বাড়ে তবে গরীব লোকেরা পূর্ব্বের মত আবার মরবে। হয়ত অনেকে মনে করেন গভর্ণমেণ্টের দ্বারা নানাবিধ ফসলের বীজ যথেষ্ট পরিমাণে বিলি হয়েছে বলিয়া রবি শষ্য এবং আগামীতে আউশ ধান খুব ভাল হইবে। কিন্তু আমি মালদহ জিলার বীজ বিতরণের অভিজ্ঞতা থেকে বলতে পারি বর্ত্তমান District Agricultural Officer-এর অযোগ্যতার দরুণ সেখানে হাজার হাজার টাকার গমের বীজ পোকায় খেয়েছে, নষ্ট হয়েছে, অথচ হাজার হাজার লোক সেখানে বীজের জন্য দরখাস্ত করিয়া বীজ পায় নাই।

Mr. DEPUTY SPEAKER: Mr. Idris Ahmed, you are forgetting that you are speaking on an adjournment motion. It is a specific motion and please speak on the motion.

Maulvi IDRIS AHMED MIA : মাননীয় Deputy Speaker মহোদয়, আমার এই সব কথা একটু অবান্তর হইলেও ইহা পরিষদে উল্লেখ করার কারণ এই যে আমি মনে করি যে ভবিষ্যতে ফসল ভাল হবে একথা মনে করবার কারণ নেই। সুতরাং গরীব চাষীর গৃহ হতে ধান চাউল শূন্য করা মোটেই যুক্তিসঙ্গত নহে।

আজ গভর্ণমেণ্ট grow more food campaign আরম্ভ করেছেন। ইহার জন্য গভর্ণমেণ্টের অনেক টাকা খরচ হইবে। কিন্তু জিজ্ঞাসা করি দেশে কত হাল বাহিবার এবং দুধ দিবার উপযুক্ত বলদ এবং গাভী আছে। অনেক চাষী পেটের দায়ে সে সব বিক্রী করিয়া ফেলিয়াছে। যদি গভর্ণমেণ্ট ধান চাউল ক্রয় করিতে আরম্ভ করেন তবে অনেকেই আবার অনেক বলদ গরু পেটের দায়ে বেচিবে। কিছুদিন পূর্বে Behar Government Ordinance দ্বারা ঐ দেশের দুগ্ধবতী গাভী এবং বলদ চালান দেওয়া বন্ধ করিয়া দেন। কিন্তু আমাদের দেশে বহু হালের বলদ এবং গাভী বিক্রিত হইয়া বড় বড় সহরে চালান যাইতেছে। বীজ বিতরণ এবং অধিক খাদ্যশস্য উৎপাদনের অবস্থা যখন এইরূপ তখন গভর্ণমেণ্ট এই সব agentদের হাতে চাউলের বাজার ছেড়ে দেবেন না এই আমার অনুরোধ। ছেড়ে দেওয়ার কুফলের একটা উদাহরণ—আমার বাড়ী হতে ৩।৪ মাইল দূরে শিবগঞ্জ থানার আশেপাশে বহু মজুর, ছুতার, রাজ-মিস্ত্রী এবং করাতীর বাস। তাদের মধ্যে না খেতে পেয়ে প্রায় ১২।১৩ শত লোক মারা গিয়াছে। আমি জানি গভর্ণমেণ্টের অভিধানে অনাহারে মরার শব্দ নাই। কিন্তু থাকুক বা না থাকুক অনেক লোক সেখানে শাকপাতা, ওলকচু ও নানারূপ কুখাদ্য খেয়ে শুকিয়ে মরে গেছে তিলে তিলে। আমি এই গুরুতর বিষয়ের তদন্ত করতে গভর্ণমেণ্টকে অনুরোধ করছি। অথচ মালদহকে surplus area ঘোষণা করে এই শিবগঞ্জ ও অন্যান্য সব অঞ্চল থেকে হাজার হাজার মন আউস ধান্য ক্রয় করা হয়েছিল।

আমি ব্যক্তিগত অভিজ্ঞতা থেকে বলতে পারি এই সব agent বা তাদের লোকেরা মোটা টাকা ঘুষ খেয়ে যাদের নিকট প্রকৃতই বেশী পরিমাণ ধান চাউল ছিল তাদের ধান চাউল না লইয়া যারা ঘুষ দিতে পারে নাই অথচ যাদের নিকট বেশী পরিমাণ ধান চাউল ছিল না তাহাদের নিকট হইতে অল্প মূল্যে ধান চাউল কিনিয়া চালান দেয়। ধান চাউল ক্রয় করার জন্য যেসব agent, sub-agent নিযুক্ত করা হয়েছে তাদের বাধা দেওয়ার ক্ষমতা গরীব চাষীদের নাই, ছিল না এবং থাকিবে না। তার একটা নমুনা পরিষদের সদস্য মৌলবী তহর আহমাদ চৌধুরী, এম-এল-এ, সাহেবের ছোট ভাই মৌলভী তহর আমেদ চৌধুরী বি-এল, সাহেব আমাদের দেশের ধান কেনার ভার পাইয়াছিলেন। তিনি যতই টাকা লাভ করুন না কেন তাহার অধীনস্থ অনেক ফড়িয়া গরীব চাষীদের নিকট হইতে ঘুষ খাইয়া মোটা হইয়াছে। দেশের জমিদার এবং শক্তিশালী লোককে ধান চাউল কেনার ভার দিলে কেহ তাহাদের বাধা দিতে পারে না। সর্বোপরি আছে Defence of India Act. এইসব Agentদের এবং তাদের চেলা-চামুণ্ডাদের পক্ষে রাম রাজত্ব হয়ে গেছে। কারুর কোন কথা বলবার ছিল না। গরীব মারা যায় তা বোঝবার শক্তি বা ব্যথা এই সব লোকের ছিল না। তারা চায় ধান চাল কিনে মুনাফা করতে। আমাদের দেশে ব্যাপার এতদূর গড়াইয়াছিল যে কোদা নামক যে নিকৃষ্ট খাদ্যদ্রব্যের সঙ্গে সামান্য ধান মেশান ছিল তাহাও চালুনি দিয়া চালিয়া অনেক ক্ষেত্রে লওয়া হইয়াছিল। যদি ধান চাউল কেনা বাস্তবিক দরকার হয় তবে সকল দলের সহিত পরামর্শ করিয়া কিভাবে ক্রয় করিলে দেশের গরীব লোকেরা বিশেষভাবে জমিহীন মজুর ও অন্য সব না

মরে গভর্ণমেণ্ট বিশেষ বিবেচনা সহকারে সেদিকে আগাইতে পারেন। কিন্তু জোর করে নাটিশ না দিয়ে চাষীদের কাছ থেকে সাধারণ খরিদ বিক্রির মত কারবার করলেই ত হয়।

Mr. ATUL KRISHNA GHOSE : Mr. Deputy Speaker, আমি আজকে এই বাগবিতণ্ডার মধ্যে ব্যক্তিগত কিম্বা দলগত কোন আলোচনা করতে চাই না। আমি জানি যে Food Minister মহোদয়ের কতটুকু ক্ষমতা এবং বুদ্ধি আছে, এবং সে বুদ্ধি ও ক্ষমতা আমাদেরই মত। কিন্তু সব চেয়ে দুঃখের বিষয় এবং পরিতাপের বিষয় এই যে মিঃ সুরাবর্দ্দী মনে করেন যে যা কিছু বুদ্ধি-বিবেচনা এবং অভিজ্ঞতা তা সব তাঁর একচেটিয়া সম্পত্তি। সেইজন্য অপরে যদি কোন suggestion দিতে চান তাতে তিনি ক্ষুব্ধ হয়ে ওঠেন। এই একটা মূল কারণের জন্য আজ বাংলা দেশের এতটা ভাগ্য বিপর্যয় ঘটেছে। এটা মন্ত্রিমণ্ডলের দুর্ভাগ্য এবং সঙ্গে সঙ্গে আমাদেরও দুর্ভাগ্য; যদিও আমরা এজন্য দায়ী নই তবু এই Assemblyর member থাকার জন্য আমরাও পরোক্ষে দেশের লোকের কাছে দায়ী। আমাদের Food Minister যদি আমাদের কথা শুনতেন, আমাদেরও যে অভিজ্ঞতা থাকতে পারে, এবং দেশের জন্য মমত্ব-বোধ থাকতে পারে এই জিনিষটা যদি তিনি বুঝতেন, তাহলে আজ এত বাগবিতণ্ডা হতো না। আমরা সরকারের খাদ্যনীতি সম্বন্ধে দুচারটা কথা বল্লে যদি তিনি কান দিয়ে শোনেন, একটা কান দিয়ে শুনে আর একটা কান দিয়ে যদি বের কোরে না দেন, তাহলে তাঁর এবং দেশের উপকার হতে পারে। কারণ আমাদেরও কিছু বুদ্ধি-বিবেচনা আছে; এবং এই Assemblyতে আসবার পূর্ব্বে আমাদের সমস্ত কিছু বিদ্যা-বুদ্ধি গঙ্গার জলে ফেলে দিয়ে আসিনি (laughter from the Government Benches)। তিনি হাসতে পারেন অথবা লুকিয়ে চক্ষু ঢেকে কাঁদলেও কাঁদতে পারেন, কিন্তু আমাদের যেটা বলবার কথা সেটা আমরা অবশ্যই বলবো। এখন কথা হচ্ছে এই যে গভর্ণমেণ্টের পক্ষে দুটো পথ আছে। একটা পথ control আর একটা পথ decontrol, এর মাঝখানে half-control বা semi-control থাকতে পারে না। এ যদি তারা না বুঝে থাকেন তাহলে অন্ততঃ গতবারের অভিজ্ঞতা থেকে বোঝা উচিত। যদি গভর্ণমেণ্ট বুঝে থাকেন যে controlই কর্ত্তব্য তাহলে আমি বলবো নিষ্ঠুর ও নির্ম্মম হস্তে control করুন। এই controlএর মধ্য দিয়ে আপনাদের officerদের control করুন, দেশের vested interestওয়ালাদের control করুন এবং consumersদের স্বার্থ যাতে ষোল আনা রক্ষা হয় তাই করুন। তা যদি না পারেন, তা হলে খানিকটে control এবং যেহেতু কিছু অমুক অমুকের মামা বা অমুকের সঙ্গে অমুকের সম্পর্ক আছে অতএব তাকে কিছু বলা চলে না যদি এই ব্যাপার নিয়ে চলতে থাকে, once you let loose, you lose the situation, এই কথা যদি মিঃ সহিদ সুরাবর্দ্দী মনে রাখেন এবং যদি এই রকম একটা stern attitude নিয়ে চলতে পারেন, তা হলে হয়তো কিছু কাজ হতে পারে।

Mr. DEPUTY SPEAKER: Mr. Ghose, when you refer to any honourable member of the House you must prefix Mr. or anything like that to his name.

Mr. A. F. STARK: On a point of order, Sir. Is it not a fact that the honourable member has always spoken fluently in English in the past? I should like to know whether he has made any declaration to the effect that he is not sufficiently acquainted with English to justify his speaking in Bengali.

Mr. DEPUTY SPEAKER: I do not exactly remember whether he can speak fluently in English. Anyway, I have allowed him to speak in Bengali. The matter whether he was required to make any declaration will be considered later on by Mr. Speaker. In the meantime let him continue to speak in Bengali.

Mr. A. F. STARK: May I submit, Sir, that Mr. Speaker gave a ruling that if a member wanted to speak in Bengali he must make a declaration that he is not sufficiently acquainted with English?

Mr. DEPUTY SPEAKER: Mr. Stark, there is a clear provision in the Rules that if a member wants to speak in Bengali he may do so.

Mr. ATUL KRISHNA GHOSE: Mr. Deputy Speaker মহোদয় আমি বাংলায় বোলছি। আমি মনে করি বাংলায় বলাই আমার পক্ষে গৌরবের বিষয় (A member, সেটা কি এতদিন পরে বুঝেছেন ?) আমি অবশ্য ইংরেজী জানি, বাংলায় বলা আমি অধিকতর গর্ব্বের বিষয় বোলে মনে করি (voices of বলুন বলুন, বাংলাতেই গর্ব্ব করুন) যাক্ আমি control এবং decontrolএর কথা বলছিলাম। তারপর আমার দ্বিতীয় কথা এই, যা মি: সহিদ সুরাবর্দ্দীকে বলতে চাই, সে কথাটা হচ্ছে এই যে কোন জেলাকে অতিরিক্ত বা উদ্বৃত্ত ধান চালের জেলা বোলে ঘোষণা করার পূর্ব্বে তাঁদের বিশেষভাবে অবগত হওয়া দরকার সত্যই সেটা ধান চাউলের surplus জেলা কি না। যদি কোন জেলাকে surplus জেলা ঘোষণা করা হয় আর তারপর সেই জেলার লোক যদি না খেতে পেয়ে মারা যায় তাহলে যিনি যত বড় মন্ত্রীই হোন্ কেউ সে মন্ত্রীকে আশীর্ব্বাদ করবে না, বরং তার মস্তকে অভিশাপ বর্ষণ করবে। এখনো যে অভিশাপ লোকে দিচ্ছে সে অভিশাপ যে তিনি একা বহন করছেন তা নয়, আমরা যদিও নিমিত্তমাত্রও নই কিন্তু যেহেতু আমরা এই Assemblyর সভ্য সেই জন্য সে অভিশাপ আমাদেরও কিছু বহন করতে হচ্ছে। ভবিষ্যতে যখন কোন জেলাকে surplus district বোলে ঘোষণা করবেন, তখন তাঁরা যেন ভালো কোরে সমস্ত অবস্থা খতিয়ে দেখে ঘোষণাটা করেন; নৈলে সেটা মিথ্যা ঘোষণা হয় একথাটা যেন তাঁরা মনে রাখেন। দ্বিতীয়ত: গভর্ণমেণ্টের কন্ট্রাক্টর সম্বন্ধে কথা হচ্ছে এই যে তথাকথিত selected contractors ৫ জন কি ১০ জনের যে কি প্রয়োজনীয়তা থাকতে পারে সেটা আমাদের মাথায় আসে না এবং মন্ত্রী সহিদ সুরোবর্দ্দী এবং তার বন্ধুগণ কি আমাদের বুঝিয়ে দিতে পারেন যে সমস্ত বাংলাদেশে ৫।১০ জন selected contractorএর কি প্রয়োজন? স্বাভাবিক যে ব্যবসায়ের ধারা সেই স্বাভাবিক ধারার মধ্য দিয়েই তাদের কর্ম্মচারিবৃন্দ কিম্বা যেসব I. C. S. officers আছেন, তারাই বিভিন্ন কেন্দ্রে যেখানে যে ব্যবসা রয়েছে তার মধ্য দিয়েই কি চাল এবং ধান কিনতে পারেন না? এবং তাদের মধ্য দিয়ে ধান চাল কিন্‌লে সে জিনিষের quality কি deteriorate কোরে যাবে economicsএর কোন নিয়ম বা theory একথা বল্‌ছে? আমরা সকলে সমস্বরে বলেছি normal যে trade সেই tradeকে বজায় রেখে যদি আমন ধান procure করা ইচ্ছা তাঁদের থাকে তাহলে করুন। But do not use word "procurement" in a form which is abominable and which is detested and which every Indian and every Bengalee should oppose.

Mr. P. BANERJI: Mr. Deputy Speaker, Sir, the Hon'ble Minister cannot shut his eyes like the proverbial ostrich. He conceded that there is no panic but there is distress. From the facts just placed before him by different speakers it will appear—and it is well known to the members—that prices both of paddy and rice are soaring high in almost all districts. That is supported even by the Government satistics. Now, Sir, it has been referred, to by Dr. Mookerjee that from Gopalnagar right up to Bejerdanga, I should say from Navaran to Bejerdanga there are already two lakhs of bags of paddy lying for the last 4 months. This paddy and rice are being sold at a lower price. Government purchased this at more than Rs. 12 per maund and now these are being sold because they are in a hopeless and rotten condition and they are being sold at Rs. 6 and buyers are not available. The result will be that people by taking this rotten foodstuff will succumb to diseases. That is one point.

Another point is this. I will cite an incident of the last war. It was reported that there were two marks on the soldiers. One was W and another was D—meaning Wounded and Dead. Accidentally one person was marked D but he was not dead. When he was being removed for cremation he at once said "I am not dead". The answer was "Why, mark D is there. Therefore you are dead" It applies to Mr. Suhrawardy. He says "I have before me those facts which say that prices are not soaring high. Therefore I must stand by the reports of Government officials". He claims to have travelled and seen bags lying at the stations. For what purpose may I ask? Is it for the purpose of "Grow More Food" campaign? After the rains for the last three days they are germinating. Mr. Suhrawardy as soon as he has become a Minister has become a *sahjanta* like the I.C.S members. As soon as they germinate will they be transplanted by Mr. Suhrawardy and his satellites? Is Mr. Suhrawardy serious? A man without responsibility has taken over the responsibility, and what is the situation today?

Sir, I have seen certain places and I will cite one instance from your own district. Government agents are already out to make purchases. The price fixed by Messrs. Ispahanis in Khulna was Rs. 8. In some cases they have fixed the price at Rs. 7-8 and their agents have been appointed. In the district of Khulna 200 agents have been apointed already. They are purchasing at Rs. 7-8. These under-agents had been given permits to purchase paddy from the south. It will be noted by the Hon'ble Minister that Government officials by taking bribe are supporting these men. Small traders and small merchants are going in their country boats and they are being locked in jails in Khulna. There are thousands of cases like that. The situation is that prices are soaring up and his satellites are making two pockets full. In some cases they are circulating rumours in the countryside and poor agriculturists are trying to part with their grains with the result that they are selling paddy at a very low price—in some cases even at Rs. 5-8 selling because agents have circulated the rumour that Government will reduce the price further and compel them to sell their paddy at even Rs. 4 per maund. That is the situation.

Sir, I have no time and therefore I must finish. I must tell the Hon'ble Minister that he must put an end to all these things. Last year rice was selling at Rs. 40 per maund and paddy at Rs. 20. Prices are soaring now even though this is the harvesting season and every one knows that prices are soaring high.

(The member having reached the time-limit resumed his seat.)

(The Hon'ble Mr. H. S. Suhrawardy rose to speak.)

Dr. NALINAKSHA SANYAL: Before Mr. Suhrawardy begins, may I, Sir, enquire on a point of privilege whether the debate taking place today would be permissible for the press to report in full or in such manner as the press ordinarily reduces them and the whole thing would be permitted to be published? Sir, we understand that the Government of Bengal have issued orders prohibiting the press from publishing anything regarding the procurement scheme except those which only support the Government's own standpoint.

Mr. DEPUTY SPEAKER: I do not know of any such order. Is there any such order, Sir Nazimuddin?

The Hon'ble Khwaja Sir NAZIMUDDIN: There is no such order actually, but certainly I have had a discussion at some conference with the press about this matter and I have made certain suggestions to them.

Dr. NALINAKSHA SANYAL: What are they?

The Hon'ble Khwaja Sir NAZIMUDDIN: Whatever it is, I think it should be raised after Mr. Suhrawardy finishes his speech and not now.

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. Deputy Speaker, Sir, খাদ্যের সমস্যা এত গুরুতর যে আমি আজকে যে debate হয়েছে——

Mr. DEPUTY SPEAKER: It will not be permissible for Mr. Suhrawardy to speak in Bengali. I hope he will speak in English.

The Hon'ble Mr. H. S. SUHRAWARDY: All right, Sir. In view, Sir, of the general importance of the food situation and the dangers that confront us if anything goes wrong, I shall try to meet the points raised in today's debate in a reasoned manner in spite of the very provocative speech of Dr. Syamaprasad Mookerjee to whom abusive epithets which are but a reflection of his inner self come glibly to bolster up his empty arguments. Sir, I would like the honourable members to realise that the situation is indeed very difficult and it requires the co-operation of all parties and all persons of goodwill in order to tide it over. Instead, Sir, what do I find? I find a deliberate attempt on the part of persons and certain parties to create a panic in the country that things are not going well and that once more we may have a recurrence of the unhappy incidents through which we have just emerged. Instead of persons of goodwill trying to allay any fears or misgivings in the minds of the people, everything is being done to make them worry and even to instil them with panic. Sir, in many places, and I say

that with the fullest knowledge of my subject, the price of paddy and rice has fallen, in many places the price of paddy and rice is falling and the very procurement policy which you are attacking today has been instrumental and will continue to be instrumental in bringing down prices in these areas until they attain a sane level. In other places prices have risen and are rising and the rise in price is being fanned further by the panicky statements that are made by those members of the public to whom a political point is of much greater importance than the lives of the people. They want to make a political point out of it and they go on repeating——.

Mr. M. SHAMSUDDIN AHMED: Sir, he is talking of political parties' tactics. Forty lakhs of people have died. May I ask him "is that a political parties' tactics"?

The Hon'ble Mr. H. S. SUHRAWARDY: That talk is foolish.

Sir, until there is better distribution, until transport facilities are made more readily available, it is quite clear that it will take some time before foodgrains from the surplus districts will move to the deficit districts and, therefore, there must be a period of time when the price in the deficit districts will rise until such time as we have been able to send foodgrains to those districts. For this purpose procurement is of the greatest necessity and we are going on with our policy in spite of the attempts that are being made to create panic. I feel, Sir, that things are so difficult that if Government gets into a panic itself and reverses or changes an iota of its policy, they will become really dangerous and we are bound to have a repetition of the incidents which took place on the last occasion. Apart from this, is it not ridiculous, I ask the members of the House, to place the blame at the doors of the appointment of a certain number of Government agents who are known as chief agents? These persons have been charged to utilise the local trade and they are obviously utilising local trade. It is asked "why have you appointed these chief agents and why have you not appointed local traders directly?". We have done that for the simple reason that we must have certain persons whom we can hold responsible for the supply of bad quality or insufficient quantity of rice or for damage in storage or for movements, and it is not possible to get from the districts persons of sufficient stability to carry out all these obligations. These local dealers are not dependent on the mercy of the chief agents as a certain member has suggested The local dealers may purchase in the locality and if the chief agents do not buy, it is open to them to offer to the Deputy Director or the Assistant Director or the District Magistrate or the Subdivisional Officer (Dr. NALINAKSHA SANYAL: And the chief agents get the commission.) No, no. The chief agents do not get any commission for such transactions.

Now, Sir, we do hope that if we are allowed to carry out our policy and if there is no interference by political parties, the prices will fall, but to what level? I do not wish them to fall to an unseembly level. If there are consumers on the one side, there are producers on the other. The producers have passed through difficult times. They have lost their cattle and they

have had to purchase their cattle at high prices. Everything has become more costly, and therefore we have got to see that the prices fall to a level which is not unfair to both producers and consumers. In my opinion up till now prices have not fallen to that level. But if you look forward for the fall in prices to the pre-war level, take it from me that prices will not fall to that level, take it from me that Government will not allow the prices to fall to that level.

As regards distribution I may state that we are taking steps to distribute foodgrains through a system of equitable rationing in all the urban areas and in the deficit rural areas. Nothing more is possible than this. I am looking forward to the co-operation of the various Food Committees which we are setting up all over the province and I am glad to say that whatever may be the feeling in this House, whatever may be the attempts to bring about a disruption the people of the province, the public of the province, have accepted these Food Committees and are co-operating everywhere with Government in this policy. I hope through these committees we shall be able to secure better and more equitable distribution and allow no cornering, no hoarding, no stocking, no profiteering, which are sure to recur if we stop our system of procurement of foodgrains. Now, Sir, it has been seen that an attempt has been made, as I have said, to create a panic in the minds of the people that if Government procure, it means that they are going to take away foodgrains and not make them available to the people. (A voice: that is what you have done.) I would urge upon honourable members of this House to whichever party they belong to bring home to the people that the foodgrains that Government will be able to procure will go to them entirely. There are difficulties of movement. For instance, it has been pointed out—and I know it fully well because I have seen it myself—that on the railway platforms in the Jessore district there are stacks and stacks of paddy. We have been trying to move them, but we have been unable to do so because we cannot get the wagons. The statement that was read out by Dr. Syamaprasad Mookerjee or the telegram sent by the Chairman of a Municipality was, as I said, nonsense. When I called that nonsense I was referring to the statement, and not to Dr. Mookerjee. To say that these foodgrains which the agriculturists had sold to the Government agent at a very high price during the *aus* purchase scheme had been taken forcibly from the people was incorrect. The gentleman who sent that telegram does not know that Jessore is an area which everybody knows to be a surplus area. (Dr. NALINAKSHA SANYAL, No, no, it is not.) It is said that the stocks of paddy were lying there on the platform when people were starving and wanting food. We offered to sell that paddy to Jessore merchants at Rs. 6-4 a maund and asked them to take the whole thing away but only 70 maunds were taken away. (Interruption.) This offer was made about three weeks ago. (Interruption.) The paddy was in a perfect condition. (Interruption.) At the present moment higher offers are being made.

Mr. ATUL KRISHNA GHOSE: I am prepared to buy the whole stock. Are you ready to give it to me?

The Hon'ble Mr. H. S. SUHRAWARDY: We made an offer through the District Magistrate to the Jessore merchants. The District Magistrate sent for them and said, "Take them away; put them on the market because the Minister has received reports that the price of paddy in Jessore is Rs. 20 per maund." But they would not take it even at Rs. 6-4. (Rai HARENDRA NATH CHAUDHURI: That is nonsense.) I am telling you what is a fact, and what is absolutely true. I found in the papers that the price of paddy was Rs. 17 to Rs. 20 per maund in Bangaon. I made enquiries at once——.

Mr. DEPUTY SPEAKER: Order, order. The adjournment motion is talked out.

Dr. NALINAKSHA SANYAL: May I repeat my question? Will the Government be pleased to permit proper publication of this debate in the newspapers tomorrow?

Mr. DEPUTY SPEAKER: Well, Sir Nazimuddin, you have I think got nothing to say more on this matter.

(No answer from the Hon'ble Khwaja Sir Nazimuddin.)

What I have understood from the Hon'ble the Chief Minister is that Government have decided somehow or other with regard to the publication of the debate in the press. It is said that they would put some restriction on the publication of today's proceedings. I shall make my position clear. I have nothing to do with the decision which the Government have arrived at but in regard to the publication of these matters in our report certainly I am entirely responsible for it. It will be publised in our report. With regard to publishing the proceedings by the Press I have no responsibility but I may tell the House that to put a restriction on the publication of today's proceedings by the press appears to me to be a curtailment of the rights and privileges of the members of the House. But it is for the Government to decide whether they will allow the press to publish the discussions or not. I have got no ruling to give in this matter.

Adjournment.

The House was then adjourned at 8-7 p.m till 3-30 p.m. on Wednesday, the 2nd February, 1944, at the Assembly House, Calcutta

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 2nd February, 1944, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI) in the Chair. 12 Hon'ble Ministers and 174 members.

STARRED QUESTIONS

(to which oral answers were given)

Re-excavation of the Ballach river in Durgapur, Mymensingh.

*16. **Mr. ABUL HOSSAIN AHMAD:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state whether any estimate was prepared for re-excavation of the Ballach river in police-station Durgapur (Mymensingh)?

(*b*) If so, will the Hon'ble Minister be pleased to state—

(*i*) when the estimate was prepared; and

(*ii*) whether the work is likely to be commenced next winter?

(*c*) Will the Hon'ble Minister be pleased further to state whether the re-excavation has been included as one of the items in the Grow More Food project?

(*d*) If not, why not?

Mr. ATUL CHANDRA KUMAR (on behalf of the Hon'ble Mr. Barada Prosanna Pain): (*a*) and (*b*) (*i*) The proposal for re-excavation of the Belcha (Ballach) river having been found technically unsound, investigations including surveys for the excavation of a feeder channel have been completed and the detailed estimate is under preparation.

(*ii*) It is too early yet to express an opinion on this point, but every endeavour will be made to start work as soon as possible.

(*c*) This will be considered when the detailed estimate is received.

(*d*) Does not arise.

Mr. ABUL HOSSAIN AHMAD: Will the Hon'ble Minister be pleased to state for how long the estimate is under consideration?

Mr. ATUL CHANDRA KUMAR: As a matter of fact the estimate had been submitted but it was sent back to the Executive Engineer for resubmission with his replies to certain queries.

Dr. NALINAKSHA SANYAL: With reference to the answer that technical investigations have shown that it is unsound technically, will the Hon'ble Minister be pleased to state when was this discovered, and whether it was discovered before the estimates were prepared or afterwards?

Mr. ATUL CHANDRA KUMAR: As it was found to be technically unsound no estimate was prepared. Investigations including surveys for the excavation of a feeder channel have been completed and the detailed estimate is under preparation.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the scheme which relates to certain estimates having been prepared for the re-excavation of the Belcha river or Ballach river, whatever it may be, includes the feeder channel as well or it was only for the feeder channel?

Mr. ATUL CHANDRA KUMAR: It was only for the feeder channel.

Pichaboni drainage sluice at Samudrapur in Contai.

***17. Mr. ISWAR CHANDRA MAL:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state whether it is a fact that—

(*i*) the Pichaboni drainage sluice at Samudrapur in the subdivision of Contai, district Midnapore, was damaged by the memorable cyclone of the 16th October, 1942;

(*ii*) there has been a big scouring in the centre of the lower platform outside the sluice; and

(*iii*) the said sluice is not working in its full capacity?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any steps have been taken to repair the sluice?

(*c*) If the answer to (*b*) is in the negative, is the Hon'ble Minister considering the desirability of taking action in the matter without delay?

Mr. ATUL CHANDRA KUMAR (on behalf of the Hon'ble Mr. Barada Prosanna Pain): (*a*) (*i*) Yes.

(*ii*) No. A scour has formed in the bed of the Khal upstream of the countryside apron of the sluice damaging a portion of the apron.

(*iii*) The sluice is working to its full capacity.

(*b*) Steps to repair the sluice have been taken.

(*c*) Does not arise.

Appointment of a member of the Saidpur Union Board.

***18. Mr. J. N. GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether it is a fact that the District Magistrate of Rangpur appointed Maulvi Yaqub Ali as a member of the Saidpur union board and communicated to the Government for publication in the "Calcutta Gazette"?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) when it was received by the Government; and

(*ii*) what action, if any, has been taken on it?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): (*a*) The appointment of Maulvi Md. Yakub Ali is still under the consideration of the District Magistrate.

(*b*) Does not arise, as proposals for appointment of members of union boards are not required to be submitted to Government.

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state if the name of Mr. Yakub Ali was sent to the Government for publication in the *Calcutta Gazette* by the District Magistrate?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I draw the attention of the honourable member to the answer itself. In the answer it will be found that it is not required to be submitted to Government.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether the matter of making nominations to the Saidpur Union Board is pending before the authorities for a long time?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I am not aware, for how long, but it is with the local officers.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to answer that part of the question in which information is asked for as to whether the name was sent for publication in the *Calcutta Gazette*?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I have got nothing further to add.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether the name was sent for publication in the *Calcutta Gazette*?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I have got nothing further to add.

Mr. ATUL CHANDRA SEN: From the answer just now given, do we understand that it was not sent?

Mr. SPEAKER: That is only cross-examination.

Reconstruction of Bishnupur Charitable Dispensary building.

***19. Mr. KAMAL KRISHNA ROY:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether—

(*i*) it is a fact that the Subdivisional Officer of Bishnupur in the district of Bankura is the President of the Local Charitable Dispensary; and

(*ii*) funds for reconstruction of the present building of the said dispensary are being collected by the present Subdivisional Officer from the public by objectionable methods?

(*b*) If the answer to (*a*)(*ii*) is in the negative, is the Hon'ble Minister considering the desirability of holding an enquiry into the matter?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: (*a*) (*i*) Yes.

(*ii*) No. The Subdivisional Officer, Vishnupur, issued an appeal in October last in response to which about a dozen persons, many of whom do not reside in the subdivision at all, have made certain contributions There has not been any complaint at all so far that any objectionable method has been used.

(*b*) Does not arise.

Mr. KAMAL KRISHNA ROY: With reference to answer (*a*)(*ii*) will the Hon'ble Minister be pleased to state what does he really mean by "There has not been any complaint at all so far that any objectionable method has been used"?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: Sir, I could not quite follow the question.

Mr. KAMAL KRISHNA ROY: মাননীয় মন্ত্রী মহাশয়—অনুগ্রহ করে জানাবেন কি রামনারায়ণ চক্রবর্ত্তী আর গোপাল কোম্পানি এদের কাছ থেকে কোন টাকা আদায় করা হয়েছে কি না?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I have got no complaint: it is there in the answer.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if any official of Government, local or otherwise, has received a specific complaint or complaints from certain persons alleging unfair means adopted on them for realisation of this money?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I am not aware of it.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the names of the persons—the dozen persons referred to in answer (*a*)(*ii*)—and the amounts realised from each of them?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government had sanctioned the Subdivisional Officer levying any amount even from outside the subdivision for purposes of these local charitable dispensaries?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: No permission was obtained, nor was it required.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is permissible for Government officers to realise funds locally on their own appeal without Government sanction or permission?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: At the instance of the public the local authorities issued appeal for funds for charitable or public purposes.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that Government Officers' Conduct Rules require previous sanction being obtained if there is any fund coming to themselves in their capacity of permanent officials of Government whether it is on behalf of any charitable organisation or not?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I am not aware of any Conduct Rule to this effect. I will look into it.

Dr. NALINAKSHA SANYAL: With reference to answer (*b*), will the Hon'ble Minister be pleased to state if Government had made any enquiry and if not, what is the source of the information that there was no objectionable method applied?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: Government enquired and no objection was received by Government.

Theft of quinine from Tippera District Board.

***20. Mr. MAQBUL HOSAIN:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether it is a fact that a large quantity of quinine had been stolen away from the Tippera District Board in 1942?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the quantity thereof?

(*c*) Will the Hon'ble Minister be pleased to state whether any enquiry was made?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state the result of it?

(*e*) Will the Government make good the loss to meet the present need of the district?

(*f*) Will the Hon'ble Minister be pleased to state the present market price of quinine stolen away?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: (*a*) and (*c*) Yes.

(*b*) 78 lb. 8 oz.

(*d*) No clue could be had.

(*e*) Government will make a supplementary allotment at the cost of the district board to replace the quantity stolen.

(*f*) Rs.2,330 approximately.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether any information was sent to the police?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I am not aware of it.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state who made the enquiry?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I want notice.

Mr. DHIRENDRA NATH DATTA: Is Government aware that quinine is now sold at Rs. 400 per pound in the black market?

Mr. SPEAKER: That question does not arise.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state when this enquiry was made?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I want notice.

Mr. DHIRENDRA NATH DATTA: Is Government aware that no enquiry was made in this case because the District Board is under the charge of an important member of the Muslim League?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: That is not true.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state who held the enquiry, as suggested in (*c*)?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I want notice.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to give us an assurance that he will make an enquiry as to whether an information was sent to the police, whether there was any enquiry, who made that enquiry and when the enquiry was made?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I will taken note of them.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state if the district board has been asked to replace the quinine in the year 1943?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I want notice.

Pachwai shops in Darjeeling district.

*21. **Mr. D. S. GURUNG:** (*a*) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state—

(*i*) the present number of *pachwai* shops in the district of Darjeeling;

(*ii*) the amount of millet consumed in the shape of *pachwai* in the above shops for the last 3 years, year by year; and

(*iii*) the total amount of *pachwai* license fee realised from the villagers apart from the license fee of the shops.

(*b*) Is the Hon'ble Minister aware that millet is used by the hill people as food in place of rice when rice is not available?

(*c*) If so, is the Hon'ble Minister considering the desirability of—

(*i*) enquiring into this matter; and

(*ii*) closing down all the *pachwai* shops also?

MINISTER in charge of the FORESTS and EXCISE DEPARTMENT (the Hon'ble Mr. Premhari Barma): (*a*) (*i*) 27.

		Maunds. (In round figures.)
(*ii*)	1940-41	1,300
	1941-42	... 1,400
	1942-43	... 1,050
		Rs.
(*iii*)	1940-41	... 23,137
	1941-42	... 18,365
	1942-43	... 18,606

(*b*) Yes.

(*c*) The closing down of the *pachwai* shops is not considered advisable, as such a step is bound to lead to illicit brewing on an extensive scale involving an extravagant use of millet.

Dr. NALINAKSHA SANYAL: With regard to answer (*c*), will the Hon'ble Minister be pleased to state what steps have been taken by Government to ensure that valuable food crops required by hillmen during the present and the past emergent years when food crisis was going on were not being diverted to the manufacture of liquor?

The Hon'ble Mr. PREMHARI BARMA: I submit this question does not arise.

Dr. NALINAKSHA SANYAL: The answer has been that Government does not consider that *pachwai* shops should be closed.

The Hon'ble Mr. PREMHARI BARMA: Otherwise illicit brewing would be the result.

Dr. NALINAKSHA SANYAL: My question is Government may not consider it desirable to close down the *pachwai* shops but have the Government taken any measure to see that to these *pachwai* shops valuable food was not being diverted?

The Hon'ble Mr. PREMHARI BARMA: Because it is no part of the Excise Department to take such steps.

Dr. NALINAKSHA SANYAL: Is the Government considering the desirability of preserving better class of food for the people and utilising the *pacha* rice which is lying strewn all over the places under Government custody for the purpose of making *pachwai*?

Mr. SPEAKER: That question does not arise.

Mr. ATUL CHANDRA SEN: From answer (*c*) do I understand the Government to say that they cannot prevent illicit brewing?

The Hon'ble Mr. PREMHARI BARMA: Because if there be no *pachwai* shops they will naturally take recourse to illicit course of brewing *pachwai*. Otherwise when they will be able to get *pachwai* from shops they won't do it.

Mr. ATUL CHANDRA SEN: My question is whether Government cannot prevent.

Mr. SPEAKER: He has given his answer.

Expenditure incurred in construction of Arial Bil Barricade in Dacca.

***22. Mr. MONOMOHON DAS:** (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state the actual cost incurred to construct the Arial *Bil* Barricade in 1939-40, in the Dacca district?

(*b*) Is it a fact that the said barricade was constructed with *gojari* posts?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the nature of the posts?

(*d*) Is it a fact—

(*i*) that the Government have contemplated to construct a new barricade this year; and

(*ii*) that they have invited tenders for Assam quality Salballa for that purpose?

(*e*) Will the Hon'ble Minister be pleased to state the name of the contractor whose tender had been accepted?

(*f*) Will the Hon'ble Minister be pleased to state the approximate cost of the new barricade proposed to be erected?

(*g*) Will the Hon'ble Minister be pleased to state whether it is in the contemplation of the Government to impose upon the people of the *Bil* area the cost of the proposed barricade?

Mr. RASIK LAL BISWAS (on behalf of the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) The bills submitted by the contractor for construction of the Arial *Bil* Barricade in 1939-40 amount to Rs. 10,988; but the officer specially deputed to scrutinise the bills has recommended a lesser amount, which is under examination.

(*b*) Yes.

(*c*) Does not arise.

(*d*) (*i*) Yes.

(*ii*) Yes; but the rates of Assam Sal being too high, it has been decided to take Madhupur Forest Sal posts which in the opinion of the Agricultural Engineer, Bengal, will serve the purpose.

(*e*) (1) Messrs. K. B. Dey and Sons; (2) Babu Mahadeb Mandal; and (3) Babu S. C. Choudhury.

(*f*) Rs.97,520 approximately.

(*g*) Yes; under section 13A of the Bengal Water Hyacinth Act, 1936.

Mr. ATUL CHANDRA SEN: With reference to answer (*g*), is the Government aware that the people themselves constructed the original barricade by their own money?

Mr. RASIK LAL BISWAS: This is for the later work that contractors were appointed. Which work do you mean—the earlier work or the later?

Mr. ATUL CHANDRA SEN: The original barricade.

Mr. RASIK LAL BISWAS: This is for the later work. I am not aware of these things.

Mr. ATUL CHANDRA SEN: Is it known that the people of the locality today are under the grips of a famine and thousands are dying?

Mr. SPEAKER: The question does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state how this amount of Rs. 97,520, the estimated cost, was arrived at and whether the consent of the people concerned who were to ultimately foot the bill was obtained previously to the expenditure?

Mr. RASIK LAL BISWAS: I want notice.

Mr. ATUL CHANDRA SEN: Is the Hon'ble Minister considering the desirability of enquiring as to whether the people are in a position to pay?

Mr. RASIK LAL BISWAS: Government will think the desirability of it.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state how many persons are involved and how many of them will have to bear the burden of this expenditure of about a lakh of rupees?

Mr. RASIK LAL BISWAS: I want notice.

Report of the alleged epidemic of cattle from certain districts in Bengal.

***23. Khan Bahadur HASHEM ALI KHAN:** (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state whether the Government have received any report of the serious epidemic of cattle from the districts of Bakarganj, Faridpur, Khulna, Noakhali and any other district?

(*b*) Is the Hon'ble Minister aware of the fact that—

(*i*) a large number of cattle have died of this epidemic during the month of January to May, 1943, especially in the four districts mentioned above; and

(*ii*) most of the cultivators have not yet started cultivation for want of cattle?

(*c*) Will the Hon'ble Minister be pleased to state whether the Government have advanced loans to these cultivators for the purpose of purchasing cattle.

Mr. RASIK LAL BISWAS (on behalf of the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) Yes.

(*b*) (*i*) Statistics of mortality were verified by the various workers during their visits to the affected centres and from their reports it seems that the number of victims during the period referred to was not unusually high. In fact the infection in most cases was suppressed very promptly.

(*ii*) No. The cultivators have managed to cultivate an unusually large acreage. No lands have been reported to be lying fallow due to want of plough bullocks

(*c*) Agricultural loans have been and are being distributed in the districts of Faridpur, Bakarganj and Noakhali to enable the cultivators to purchase cattle.

Srijut NARENDRA NATH DAS GUPTA: With reference to answer (*b*) will the Government let us know who are these various workers who verified the statistics of mortality?

Mr. RASIK LAL BISWAS: Workers in the districts of Bakarganj, Faridpur, Khulna and Noakhali, etc. These workers went there to see things. No specific name can be mentioned, because in that case I want notice.

Srijut NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state the average amount of loans given to the people to buy cattle?

Mr. RASIK LAL BISWAS: I want notice.

Security prisoner Birendra Kishore Saha.

***24. Maulvi ABDUL WAHED:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware of the fact that Birendra Kishore Saha, an undertrial prisoner now a security prisoner in the Comilla Jail, has been recently admitted into the jail hospital?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the nature of his disease and the period he passed in the jail hospital?

(*c*) Is it a fact that he was beaten just before his admission into the jail hospital?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason therefor?

(*e*) Will the Hon'ble Minister be pleased to state what action, if any, he proposes to take to stop the practice of beating security prisoners in future?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) No.

(*b*) to (*e*) Do not arise.

Mr. ATUL CHANDRA SEN: With reference to answer (*b*), will the Hon'ble Minister be pleased to state whether Birendra Kishore Saha has recently suffered from any disease?

Khan Bahadur MOHAMMED ALI: I want notice.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us when this question was received?

Khan Bahadur MOHAMMED ALI: It was received when the last Ministry was in office in March, 1943.

Withholding letters of Mr. Nishitha Nath Kundu by Deputy Commissioner, Special Branch.

***25. Mr. NISHITHA NATH KUNDU:** (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether any letter or letters, written to or by Mr. Nishitha Nath Kundu, M.L.A., now a security prisoner in the Presidency Jail, were withheld?

(*b*) If so, (*i*) by whom; (*ii*) for what reason; and (*iii*) under what rule?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Mr. Kundu is no longer a security prisoner but I understand that three letters written by Mr. Kundu had been withheld during his detention in the Presidency Jail.

(*b*) The letters in question were all withheld by the Deputy Commissioner of Police, Special Branch, Calcutta, for violating the provisions of rule 19 of the Bengal Security Prisoners Rules.

Mr. NISHITHA NATH KUNDU: There are several provisions in rule 19. Will the Hon'ble Minister be pleased to tell us which provisions were violated?

Khan Bahadur MOHAMMED ALI: They violated some provisions of rule 19. To say exactly which provisions were violated I want notice.

Writing of letters by the security prisoners and rules regarding showing of history tickets.

*26. **Mr. NISHITHA NATH KUNDU:** (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether under the Bengal Security Prisoners Rules, the security prisoners are required to write only on one side of letter papers?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reason for withholding security prisoners' letters written on both sides by the censoring authorities?

(*c*) Will the Hon'ble Minister be pleased to state whether under the rules the security prisoners are entitled to see their history tickets with respect to—

(*i*) timely despatch of their letters, and

(*ii*) recording of their expenditure spent from their private cash?

(*d*) Will the Hon'ble Minister be pleased to state whether there is any provision in the Bengal Security Prisoners Rules to the effect that Jail Code Rules regarding classified prisoners will apply and be followed in matters in respect of which no provision is made in the Bengal Security Prisoners Rules?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state what are the rules regarding custody of and the showing of history tickets to the prisoners in the Jail Code?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) The honourable member is referred to rule 19 of the Bengal Security Prisoners Rules, 1940.

(*b*) I have no information.

(*c*) Yes.

(*d*) I refer the honourable member to rule 4 of the Bengal Security Prisoners Rules, 1940.

(*e*) I refer the honourable member to Chapter XI of the Bengal Jail Code, Volume I, Seventh Edition, a copy of which is placed in the Library.

Mr. NISHITHA NATH KUNDU: With reference to answer (*c*) does the Hon'ble Minister think it desirable to communicate to the jail authorities instructions for showing the history tickets to the security prisoners with reference to the timely despatch of their letters and regarding recording of their expenditure spent from their private cash?

Khan Bahadur MOHAMMED ALI: Under the rules the security prisoners are entitled to see their history tickets which are kept under the custody of jail authorities. Therefore, there is no necessity of issuing any such instructions.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to tell us if the jail authorities refuse to show the history tickets with reference to such matters what is the remedy on the part of the security prisoners?

Khan Bahadur MOHAMMED ALI: Remedy will be to see that effect is given to the rule, but so far no such complaint has been received by Government.

Mr. NISHITHA NATH KUNDU: As the Bengal Security Prisoners Rules have not been laid on the library table, will the Hon'ble Minister be pleased to tell us the provisions of rule 19?

Mr. SPEAKER: Has it not been laid?

Mr. NISHITHA NATH KUNDU: No, Sir.

Dr. NALINAKSHA SANYAL: Yes, it has been laid

Khan Bahadur MOHAMMED ALI: Yes, it is there.

Mr. NISHITHA NATH KUNDU: Is the Hon'ble Minister aware that there have been some controversies in the interpretation of rule 19 regarding writing on both sides of letters?

Khan Bahadur MOHAMMED ALI: We are not aware of any controversy. There is no such controversy regarding the interpretation of this rule.

Mr. NISHITHA NATH KUNDU: Is the Hon'ble Minister aware that letters have been constantly withheld by the censoring authorities for writing on two sides of the letter paper though there is a specific rule allowing the prisoners to write on both sides?

Khan Bahadur MOHAMMED ALI: Letters are not withheld, because under rule 19 a prisoner is allowed to write on both sides of half foolscap papers or on four sides of post-octavo papers.

Mr. NISHITHA NATH KUNDU: In view of the answer just now given will the Hon'ble Minister be pleased to state on what grounds the letters were withheld?

Khan Bahadur MOHAMMED ALI: Letters are withheld for violating some of the provisions and unless specific instances are quoted, it is difficult to give answer. It seems that the honourable member has not seen the provisions of rule 19. If he kindly looks up the rule, he will understand why letters are withheld.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to tell us which part of rule 19 was contravened by the letters that were withheld?

Khan Bahadur MOHAMMED ALI: I want notice.

Arrest of certain security prisoners under Regulation III of 1818.

***27. Mr. PRATUL CHANDRA GANGULI:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact—

(*i*) that 9 security prisoners, namely:—

(1) Mr. Pratul Chandra Ganguli, M.L.A.,

(2) Mr. Nani Gopal Mazumdar,

(3) Mr. Birendra Chandra Ganguli,

(4) Mr. Niharendu Dutt-Mazumdar, M.L.A.,

(5) Mr. Debabrata Roy,

(6) Mr. Sibnath Banerjee, M.L.A.,

(7) Mr. Bijoy Singh Nahar, Councillor, Calcutta Corporation,

(8) Mr. Narendra Nath Sen Gupta,

(9) Mr. Sasanka Sekhar Sanyal, M.L.A.,

were set at liberty by the Calcutta High Court on Habeas Corpus petitions on the 3rd June, 1943;

(*ii*) that the Hon'ble Judges of the Special Bench of the High Court declared that the detention of the above 9 persons under rule 26, Defence of India Act, was illegal;

(*iii*) that 7 of the abovementioned persons who were brought to the Court were re-arrested under Regulation III of 1818, immediately after their release; and

(*iv*) that 6 persons, namely:

(1) Mr. Pratul Chandra Ganguli,

(2) Mr. Nani Gopal Mazumdar,

(3) Mr. Sibnath Banerjee,

(4) Mr. Bejoy Singh Nahar,

(5) Mr. Debabrata Roy,

(6) Mr. Narendra Nath Sen Gupta,

were arrested by the Police inside the Court room where the Hon'ble Judges heard their petitions on Habeas Corpus?

(*b*) Will the Hon'ble Minister be pleased to state where and when Mr. Niharendu Dutt-Mazumdar was re-arrested under Regulation III of 1818?

(*c*) Is it a fact that on the 4th June, 1943, when Mr. Birendra Chandra Ganguli was being escorted as a security prisoner in a police car to the jail he was informed by his escort that he was released and re-arrested under Regulation III of 1818?

(*d*) Will the Hon'ble Minister be pleased to state the place and time when Mr. Sasanka Sanyal was informed of his release and re-arrested under Regulation III of 1818?

(*e*) Is it a fact that the Government of Bengal issued the orders for the re-arrest of the above 9 persons under Regulation III of 1818?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason therefor?

(*g*) Will the Hon'ble Minister be pleased to state whether—

(*i*) the Council of Ministers considered the desirability of applying the Regulation III of 1818 on these 9 persons on their release by the Hon'ble High Court; and

(*ii*) the Council of Ministers approved of the decision to apply Regulation III of 1818 on these 9 persons?

(*h*) If the answer to (*g*) is in the affirmative, will the Hon'ble Minister be pleased to state the date and time when they arrived at this decision?

(*i*) Is it a fact that the orders under Regulation III of 1818 on these 9 persons were kept ready before the Hon'ble Judges announced their judgment?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*)(*i*), (*ii*), (*c*) and (*e*) Yes.

(*iii*) Yes, soon after release.

(*iv*) No. Sometime after the judges had left the Court room, orders for their arrest were read out to them in the Court room and the prisoners followed the police officer under whose direction these were read to the High Court Guard room where they were informed on inquiry that they were under arrest.

(*b*) In the corridor of the High Court Buildings after he had come out of the Court room.

(*d*) On the 5th June, 1943, at 1-30 p.m. Mr. Sanyal was informed that he was being detained under Regulation III. The order of the High Court directing his release from detention under Defence of India Rule 26 was communicated to Mr. Sanyal on the 9th June, 1943. In each case the communication was made by the Superintendent, Berhampore Jail, as early as practicable after receiving the orders. Mr. Sanyal was at that time being treated as an indoor patient in the Hospital.

(*f*) The reason appears from the Warrant of Commitment which was in each case in the form appearing as a Schedule to Regulation III of 1818.

(*g*) to (*i*) In the public interest, I am not prepared to answer these questions.

Dr. NALINAKSHA SANYAL: With reference to Mr. Sasanka Sekhar Sanyal will the Hon'ble Minister be pleased to state if at any stage he was informed that under the orders of the High Court he was released?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would refer the honourable member to answer (*d*).

Dr. NALINAKSHA SANYAL: Yes, I am putting this question with reference to that answer.

The Hon'ble Khwaja Sir NAZIMUDDIN: It is there categorically.

Dr. NALINAKSHA SANYAL: The answer is that the order of the High Court was communicated to Mr. Sasanka Sekhar Sanyal on the 9th of June, 1943. When was the order received by the Superintendent of the Jail?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Dr. NALINAKSHA SANYAL: When was the order issued by the High Court?

The Hon'ble Khwaja Sir NAZIMUDDIN: From the answer it appears very likely on the 5th of June.

Dr. NALINAKSHA SANYAL: Is it a fact that the order was issued on the 3rd June and that very evening a telegram was sent to the Superintendent of Berhampore Jail from the Secretariat here directing the Superintendent not to release Mr. Sasanka Sekhar Sanyal in spite of the High Court orders?

The Hon'ble Khwaja Sir NAZIMUDDIN: I correct myself. The 3rd of June was the date of the order.

Dr. NALINAKSHA SANYAL: Is it a fact that a telegram was sent from the Writers' Buildings to the Superintendent, Berhampore Jail, directing him not to take action on the order of the High Court?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the High Court order was announced in all the newspapers and the attention of the Superintendent, Berhampore Jail, was invited to that order on the early morning of the 4th June?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what are the reasons that the Superintendent of the Jail took such a long time—from the 3rd June to the 9th June—to communicate the said order to Mr. Sasanka Sekhar Sanyal?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would again refer the honourable member to answer (*d*).

Dr. NALINAKSHA SANYAL: The answer is that the order was communicated on the 9th of June, 1943.

The Hon'ble Khwaja Sir NAZIMUDDIN: The answer says that the communication was made by the Superintendent, Berhampore Jail, as early as practicable after receiving the orders.

Dr. NALINAKSHA SANYAL: Is it a fact that when orders of courts releasing the prisoners are given the prisoners are communicated those orders immediately and release effected as soon as possible thereafter?

Mr. SPEAKER: That is more or less a general question. Put a specific question.

Dr. NALINAKSHA SANYAL: In this particular case is the Hon'ble Minister aware that a specific order of Mr. Sanyal's release was communicated to the Superintendent of the Jail on the 4th of June! Is the Hon'ble Minister in a position to deny that?

The Hon'ble Khwaja Sir NAZIMUDDIN: Communicated by whom?

Dr. NALINAKSHA SANYAL: By the Registrar of the High Court.

Mr. SASANKA SEKHAR SANYAL: Since the release order by the High Court was passed on the 3rd of June, and since the fresh order was dated 5th of June, will the Hon'ble Minister be pleased to state what was the legal basis for the intermediate custody?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is a legal matter. I cannot give any opinion.

Mr. ATUL CHANDRA SEN: With reference to answer (*iv*) where it was said that orders for their arrest were read out to them in the Court room sometime after the Judges had left the Court, will the Hon'ble Minister be pleased to state exactly the hour when they were arrested or when the orders were read out?

Mr. SPEAKER: That is more than he can possibly say.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that on the 4th June Mr. Sanyal was detained in the Berhampore Sadar Hospital and intended to go to his residence but he was prevented from going there and if that fact was accepted what was the legal authority to keep him under detention?

Mr. SPEAKER: You can ask a question to elicit facts.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether it is a fact that Mr. Sanyal was prevented from going to his home from the Berhampore Sadar Hospital where he was detained on the 4th of June?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am not aware of it.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to consider the desirability of punishing the person or persons who are responsible for illegally detaining Mr. Sanyal and restraining his personal liberties on the 4th of June, 1943?

Mr. SPEAKER: You assume that there was illegal detention. You cannot do that.

Grant of family allowance to certain security prisoners.

***28. Mr. JNANENDRA CHANDRA MAJUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether—

(*i*) security prisoners Babu Tarapada Ghosh and Babu Phanindra Nath Chakravarty, detained at present in the Presidency Jail and the Mymensingh Jail respectively, applied to the Government for the grant of family allowances;

(*ii*) Babu Tarapada Ghosh was maintaining his family members with his earnings derived from his stationery and book shops which he had at Bolepur in the district of Birbhum; and

(*iii*) Babu Phanindra Nath Chakravarty was maintaining his family members from his earnings as a Homoeopathic medical practitioner at Kishoreganj in Mymensingh?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the amount of family allowances that have been granted to each of them?

(*c*) If no allowances have been granted to them, will the Hon'ble Minister be pleased to state the reasons thereof?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) Yes.

(*ii*) His income from the shop was Rs 15 to Rs.20 per month The family had income from landed properties as well.

(*iii*) Yes He had also some income from private tuition, *khamar* lands and insurance agency.

(*b*) A family allowance of Rs.20 per month has been granted to Babu Tarapada Ghosh. An allowance of Rs 20 per month was originally granted to Babu Phanindra Nath Chakravarty which has been increased to Rs.30 per month in the light of our present policy

(*c*) Does not arise.

Family allowance of Babu Dhirendra Kumar Ghosh of Bankura.

***29. Mr. ISWAR CHANDRA MAL:** (*a*) Is the Hon'ble Minister in charge of the Home (Political) Department aware that—

(*i*) Babu Dhirendra Kumar Ghosh of Bankura Town has been detained in the Midnapore Central Jail from the 16th September, 1942;

(*ii*) on the 27th October, 1942, and on the 2nd March, 1943, the said prisoner applied to the Government for a suitable monthly allowance from the date of his arrest;

(*iii*) the aforesaid prisoner received the news of the consideration of his petition on the 16th April, 1943, under memorandum No. 3116H.J.

(*iv*) the aforesaid prisoner received monthly allowance when he was detained under Bengal Criminal Law Amendment Act in the years 1932 to 1937; and

(*v*) at the time of his previous detention he was unmarried and a student, and engaged as an apprentice in the Government Rifle Factory, Ishapore, 24-Parganas, at the time of arrest?

(*b*) If the answers to (*a*) (*ii*) and (*iii*) are in the affirmative, will the Hon'ble Minister be pleased to state whether any allowance has been sanctioned as yet?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state—

(*i*) the reason therefor; and

(*ii*) whether Government are considering the desirability of granting a suitable monthly allowance to his family from the date of his arrest?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*)(*i*) to (*iii*) and (*v*) yes.

(*iv*) No. The father received an allowance from 1936-38.

(*b*) Yes. Rupees twenty has been sanctioned by Government.

(*c*) Does not arise.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Opening of Government-controlled shops in Calcutta.

11. Mr. D. N. SEN: (*a*) Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to state whether Government propose to open 400 shops in order to supply foodstuffs to the people of Calcutta?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state how many such Government shops have so far been opened?

(*c*) Will the Hon'ble Minister be pleased to state whether—

(*i*) Government have taken into account that the needs of a vast and growing population of a large city like Calcutta can be adequately and effectively met by only 400 Government shops; and

(*ii*) it is the intention of the Government to enforce rationing in Calcutta through the machinery of these shops alone?

(*d*) If the answer to (*c*)(*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what are the advantages that Government expects to accrue by the replacement of the existing controlled shops; and

(*ii*) what will be the total cost of running these shops?

(*e*) Do the Government propose to open these shops—

(*i*) to supplement the services already done by the existing dealers; or

(*ii*) to replace the existing dealers and traders?

MINISTER in charge of the CIVIL SUPPLIES DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) Yes.

(*b*) 30.

(*c*)(*i*) Government are aware that the needs of Calcutta cannot be fully met by 400 Government shops.

(*ii*) No.

(*d*) Do not arise.

(*e*) The intention is to replace gradually the existing "controlled" shops, as far as practicable, by Government Distributing Centres.

Srijut NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state whether the general public in Calcutta prefer existing traders to Government controlled shops?

The Hon'ble Mr. H. S. SUHRAWARDY: That is a matter of opinion.

Babu ASHUTOSH LAHIRI: Will the Hon'ble Minister be pleased to state the number of Government shops and private shops recently opened in Calcutta?

The Hon'ble Mr. H. S. SUHRAWARDY: I do not exactly remember. I think the numbers were published only recently in the papers by Mr. Hartley. So far as I remember there are 440 Government shops, 400 private shops and a very large number of industrial shops.

Babu ASHUTOSH LAHIRI: Will the Hon'ble Minister be pleased to state what are the conditions on which private shops have been selected?

The Hon'ble Mr. H. S. SUHRAWARDY: I would submit that the question does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state, after having examined the answers carefully, if these figures apply to the present day conditions or to those conditions which obtained when the answers were drafted in the Department.

The Hon'ble Mr. H. S. SUHRAWARDY: Obviously they refer to the conditions when the reply to the question was drafted. Since then much water has flowed under the bridge.

Dr. NALINAKSHA SANYAL: The answer is placed before the Assembly today. It is a matter of privilege of the House to know the present position.

The Hon'ble Mr. H. S. SUHRAWARDY: I have given you the numbers.

Dr. NALINAKSHA SANYAL: Is it a fact that the present number is only 30 under (*b*)?

The Hon'ble Mr. H. S. SUHRAWARDY: No. That was the case when the answer was drafted in September last.

Dr. NALINAKSHA SANYAL: With reference to answer (*e*), namely, that the intention is to replace gradually the existing "controlled" shops, as far as practicable, by Government Distributing Centres, does that intention still hold good?

The Hon'ble Mr. H. S. SUHRAWARDY: No. That was the past intention.

Srijut NARENDRA NATH DAS GUPTA: What are the conditions under which private dealers and traders are allowed to distribute the rationed articles to the citizens of Calcutta?

The Hon'ble Mr. H. S. SUHRAWARDY: I make my submission that this question does not arise out of the main question.

Srijut NARENDRA NATH DAS GUPTA: But that point is to be decided by Mr. Speaker.

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, and I have made my submission to him.

Mr. SPEAKER: Out of which question does your supplementary question arise, Mr. Das Gupta?

Srijut NARENDRA NATH DAS GUPTA: Sir, Government wants to replace existing dealers and traders but there are existing dealers and traders to distribute rationed articles. My present question arises out of that point.

Mr. SPEAKER: But he has already answered that the matter has been clarified subsequently.

Srijut NARENDRA NATH DAS GUPTA: But we do not know where he has said that.

Mr. SPEAKER: He has already said that.

Babu ASHUTOSH LAHIRI: Will the Hon'ble Minister be pleased to state whether it is a fact that in the case of Government shops 3,000 ration card-holders have been allotted but in the case of private ration shops only 1,500 ration card-holders have been allotted? And why has this differentiation been made?

The Hon'ble Mr. H. S. SUHRAWARDY: The differentiation arises on account of the fact that they are private ration shops and the others are Government-controlled shops.

Dr. NALINAKSHA SANYAL: In view of the anti-diluvian character of the answers given, does the Government consider the desirability of redrafting the answer?

Mr. SPEAKER: I think that is not necessary in view of the fact that he has given you all facts with regard to this question.

Repair of houses under the administration of Official Receiver.

12. Mr. ATUL KRISHNA GHOSE: (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to state—

(*i*) the number of houses that have been repaired under the administration of the Official Receiver, High Court, Calcutta, during the financial year 1941-42 with their respective cost;

(*ii*) the names of the contractors that were entrusted to repair those houses; and

(*iii*) who placed the orders for these contracts, and on what terms?

(*b*) Will the Hon'ble Minister be pleased to state whether tenders were invited to ascertain the cost of repairs?

(*c*) Is the Hon'ble Minister considering the desirability of making an enquiry into the administration of the Official Receiver's office?

MINISTER in charge of the JUDICIAL DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): (*a*)(*i*) A statement is laid on the Library Table

(*ii*) (1) General Construction Co., (2) Sriimany & Co., (3) G. Pir, (4) City Builders Syndicate, (5) M. L. Roy, (6) Mangoe Electric Co., (7) P. Boseck & Co., and (8) Ganeshi Lall Shah

(*iii*) Official Receiver; terms according to prevailing market rates.

(*b*) Yes, when the amount exceeded Rs 2,000.

(*c*) No. The office has recently been inspected generally by an officer on special duty and his report is under consideration.

Mr. ATUL KRISHNA GHOSE: মন্ত্রিমহাশয় অনুগ্রহ কোরে জানাবেন কি কোন্ officer এই inspectionএ গিয়াছিলেন এবং তাঁর রিপোর্টই বা এ ব্যাপারে কি?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: An officer of the position of a District Judge.

Mr. ATUL KRISHNA GHOSE: স্যার, এ উত্তরের কোন মানে হলো না।

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: It is under the consideration of Government now.

Mr. ATUL KRISHNA GHOSE: It may be under the consideration of Government, but I want to know what is that report? বলুন যে report আমরা এখোনো প্রকাশ করতে পারছি না। আচ্ছা মন্ত্রীমহাশয় অনুগ্রহ করে জানাবেন কি কোন পর্যন্ত আমরা সেই রিপোর্টটা পাওয়ার বা জানবার অধিকারী হব?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: It is still under consideration and therefore it cannot be published at its present stage.

Mr. ATUL KRISHNA GHOSE: মন্ত্রীমহাশয় জানাবেন কি কতদিন সময় লাগবে consider কোরতে?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: That I cannot say.

Mr. ATUL KRISHNA GHOSE: মন্ত্রীমহাশয় আমাদের অনুগ্রহ কোরে জানাবেন কি এই যে Official Receiverএর বাড়ী মেরামত করবার জন্য কত টাকা পর্যন্ত খরচ করবার ক্ষমতা গভর্ণমেন্ট তাঁকে দিয়াছেন ?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: I would like to draw your attention to the answer given by the Hon'ble Minister, namely, "Yes, when the amount exceeded Rs. 2,000". That implies that the amount exceeded Rs. 2,000 in some cases.

Mr. SPEAKER: Then you want to verify the correctness of your statement. That is no question and I do not allow it.

Mr. ATUL KRISHNA GHOSE: মন্ত্রিমহাশয় আমাদের অনুগ্রহ কোরে জানাবেন কি গভর্ণমেন্ট Official Receiverএর বাড়ী মেরামতের উপরও তার নিজের ব্যবহারের বা অপর বিষয়ের উপর ও কোন খরচ মঞ্জুর করেছেন না—ঐ দুই হাজার টাকাই শুধু মঞ্জুর করেছেন।

The Hon'ble Nawab MUSHARRAFF HOSSAIN, Khan Bahadur: I have already answered that question.

Imposition of collective fine in Balurghat subdivision.

13. Mr. NISHITHA NATH KUNDU: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) the total amount of collective fine imposed on Balurghat subdivision;

(*ii*) the names of villages and the number of persons, where and on whom the collective fine was imposed;

(*iii*) the reasons for imposing the fine;

(*iv*) at whose initiative the fine was imposed;

(*v*) the maximum time allowed for depositing the fines; and

(*vi*) the maximum and minimum amount imposed on a single individual?

(*b*) Is it a fact that the time allowed for payment was very short?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons thereof?

(*d*) Is it a fact that fines were imposed on two non-resident zemindars of the subdivision?

(*e*) If the reply to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons thereof?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*)(*i*) to (*iii*), (*v*) and (*vi*) I refer the honourable member to the Home (Political) Department notification No. 20826R., dated the 21st October, 1942, and to the Press Note of the District Magistrate of Dinajpur published sometime during the first week of November, 1942, copies of which are laid on the Library Table.

(*iv*) As usual, the fine was imposed on the recommendation of the District Magistrate.

(*b*) No.

(*c*) Does not arise.

(*d*) Yes.

(*e*) The attention of the honourable member is invited to the *explanation* to section 3 of the Collective Fines Ordinance, 1942.

Dr. NALINAKSHA SANYAL: With regard to answer (*d*) yes, will the Hon'ble Minister be pleased to state the amounts that the two non-resident zamindars of the subdivision were each required to pay under the collective fines imposed thereon?

Khan Bahadur MOHAMMED ALI: I want notice

Dr. NALINAKSHA SANYAL: When was this answer received? It is absurd that a Parliamentary Secretary who has no other duty to perform but this only and who is paid for this work does not come prepared to properly answer questions.

Mr. SPEAKER: You cannot certainly argue in that way in putting supplementary questions.

Dr. NALINAKSHA SANYAL: Is it not a fact that one of the zamindars was required to pay at first as much as Rs. 10,000 as collective fine?

The Hon'ble Khwaja Sir NAZIMUDDIN: I think that question does not arise.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. The question (*a*)(*i*) wants to know the total amount of collective fine imposed on Balurghat subdivision In the reply no amount has been mentioned but a reference has been made to some Notification and Press-Note somewhere——

Khan Bahadur MOHAMMED ALI: It has been placed on the Library Table——

Mr. SPEAKER: Well, Khan Bahadur, when Sir Nazimuddin is replying, both of you cannot answer the same question.

Dr. NALINAKSHA SANYAL: It will be seen that in addition to the total amount of the collective fine that is wanted, the names of villages and the number of persons where and on whom the collective fine was imposed, are also wanted. But Sir Nazimuddin takes the plea that my question does not arise. I submit that the question was clearly indicative of the quantity, the amounts and the persons involved and the answer was also given in that light. In response to question (*d*) which is more specific, I want to know what were the respective amounts, and I submit that this question does arise from the main question.

Mr. SPEAKER: But you have already got it. These are to be found on the Library table.

The Hon'ble Khwaja Sir NAZIMUDDIN: I submit, Sir, that in this matter we are going into the general question of details. The previous Speaker repeatedly told us that if details were wanted those must be put in the body of the question itself. We cannot anticipate that details will arise in connection with any general question.

Mr. SASANKA SEKHAR SANYAL: Question (*d*) is specified—fines were imposed. They are also inclusive of amounts of fines. So, sufficient notice is there.

Dr. NALINAKSHA SANYAL: In fact, my knowledge is that the names of the persons were given, but your office had taken out the names because some rules are there under which the names need not necessarily be given.

Mr. SPEAKER: I will look into the matter.

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order, Sir. I hope the honourable member will withdraw the remarks he has made about the Parliamentary Secretary.

Dr. NALINAKSHA SANYAL: I am never in the habit of withdrawing anything. While reaffirming my statement that Parliamentary Secretaries do not come sufficiently prepared with facts——

Mr. SPEAKER: That is not a question.

Khan Bahadur MOHAMMED ALI: I object to it. He has no business to make a statement like that.

Dr. NALINAKSHA SANYAL: May I enquire of the Hon'ble Minister concerned as to what is the present state of realisation of the collective fines imposed on the two non-resident zemindars of the subdivision?

Khan Bahadur MOHAMMED ALI: The case of one of the non-resident zemindars, namely, Maharaj Bahadur Singh, is still under the consideration of Government.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to tell us what is the maximum time allowed?

Khan Bahadur MOHAMMED ALI: I refer the honourable member to the Press-Note which makes it clear.

Mr. NISHITHA NATH KUNDU: I want the time. There is no reference to time for payment in the Press-Note.

Khan Bahadur MOHAMMED ALI: Yes, it is said, within five days. If you refer to the Press-Note laid on the Library Table you will find that time allowed was for five days.

Mr. NISHITHA NATH KUNDU: With reference to answer (*b*) "No", will the Hon'ble Minister be pleased to tell us how does he reconcile his answer to (*b*) with what he now says that the maximum time allowed was five days?

Khan Bahadur MOHAMMED ALI: That is a matter of opinion. Five days is not a very short notice.

Mr. NISHITHA NATH KUNDU: For realisation of Rs. 10,000?

Khan Bahadur MOHAMMED ALI: Mostly they were in sums varying from Rs. 5 to Rs. 100.

Release of security prisoners to visit their sick relatives.

14. Mr. PRATUL CHANDRA GANGULI: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that—

(*i*) the Government announced in a Press Note in September, 1942, their decision to temporarily release security prisoners to visit near relatives in case of critical illness; and

(*ii*) the Hon'ble Chief Minister in his statement before the House on the 15th September, 1942, declared the decision of the Government to temporarily release security prisoners to visit near relatives in case of critical illness?

(*b*) If the answers to (*a*)(*i*) and (*ii*) are in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) how many security prisoners since the announcement of the Hon'ble Minister have been allowed temporary release to visit their near relatives in case of critical illness;

(*ii*) how many security prisoners applied for temporary release to visit their near relatives in case of critical illness;

(*iii*) the total number of security prisoners who applied for temporary release to visit their near relatives in case of critical illness up to date; and

(*iv*) how many security prisoners were allowed temporary release to visit their ailing relatives during the period?

(*c*) Will the Hon'ble Minister be pleased to state whether the following security prisoners applied for temporary release to visit near relatives in case of critical illness:—

(*i*) Mr. Pratul Chandra Ganguli applied to visit his mother in case of her critical illness on the 5th and the 6th October, 1942,

(*ii*) Mr. Birendra Chandra Ganguli applied on the 8th October, 1942, to visit his mother in critical condition,

(*iii*) Mr. Bibhuti Mukerji applied on 27th December, 1942, to visit his mother in critical condition,

(*iv*) Mr. Paramesh Roy Chowdhury applied on the 27th November, 1942, to visit his father in critical condition,

(*v*) Mr. Saradindu Bose applied on 16th January, 1943, to visit his sister in her critical condition,

(*vi*) Mr. Behari Lal Paria applied to visit his mother in critical condition on 10th January, 1943,

(*vii*) Mr. Bhupendra Kishore Rakshit Roy applied in case of his father's critical condition before death and afterwards for *sradh* ceremony,

(*viii*) Mr. Anil Chandra Roy applied in case of his father's critical illness before death and afterwards for *sradh* ceremony,

(*ix*) Mr. Mihir Mukherji applied in case of his eldest brother's serious illness before death and afterwards in case of his mother's serious illness,

(*x*) Mr. Khitish Chandra Bhowmik applied in case of his mother's critical illness before her death and afterwards for *sradh* ceremony, and again applied in case of his father's serious illness, and

(*xi*) Mrs. Lila Roy applied in case of critical illness of her father-in-law before his death?

(*d*) Is it a fact that none of the above security prisoners were released temporarily to visit their near relatives in case of critical illness?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons therefor?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) Yes. The honourable member has doubtless noted that in the communiqué itself it was made clear that the concession must always be subject to the over-riding necessity of securing public safety.

(*ii*) Yes.

(*b*) The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time.

(*c*) and (*d*) Yes.

(*e*) The widespread campaign of violence and destruction which developed subsequent to the issue of the communiqué, introduced an entirely new factor in the situation and temporary release was refused in the cases referred to in (*d*) above on security grounds.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether the entirely new factor referred to in answer (*e*) still subsists or not?

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order. May I draw the attention of the House to the fact that these actions took place and the orders were passed when the supporters of the gentleman opposite were in office.

Mr. SASANKA SEKHAR SANYAL: On a point of order. The Hon'ble Minister having answered this question, why is he afraid of pursuing the question and leading it to a logical conclusion?

Mr. SPEAKER: This is no point of order.

Mr. SASANKA SEKHAR SANYAL: My question is whether the entirely new factor referred to in answer (*e*) is still in existence or not?

Khan Bahadur MOHAMMED ALI: No, the situation has considerably improved.

Mr. SASANKA SEKHAR SANYAL: In view of the answer just given, may I know whether this Government holds on to the policy of temporary release on adequate grounds referred to in the question at present?

Khan Bahadur MOHAMMED ALI: It has already been mentioned that this concession has been given, but the overriding consideration is the consideration and necessity of securing public safety.

Mr. SASANKA SEKHAR SANYAL: In view of the answer that has just been given that the situation has considerably improved, may I know whether, after the improvement was noticed by the present Government, any such temporary release on such grounds as set forth has been given by the present Government?

Khan Bahadur MOHAMMED ALI: Wherever it is possible, such concessions are granted—temporary releases are granted.

Family allowances of certain security prisoners lodged in Dum Dum Central Jail.

15. Mr. SATYAPRIYA BANERJEE: (*a*) Is the Hon'ble Minister in charge of the Home Department aware of the fact that—

(*i*) Srijut Lalit Mohan Singh, Aswini Kumar Ganguli, Phani Bhusan Mazumdar, Anil Chandra Roy, Haripada Bose, Suhrid Kumar Mullik Choudhury and Madan Dhar, security prisoners lodged in Dum Dum Central Jail, have submitted petitions to the Government for the grant of family allowance;

(*ii*) the dependent of those persons are unable to make both ends meet on account of their detention and consequent stoppage of their income as stated in their petitions; and

(*iii*) Srijut Aswini Kumar Ganguli received Rs.40 a month as family allowance on two previous occasions and that Srijut Anil Chandra Ray received Rs.75 per month as family allowance during his period of detention last time?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of granting them family allowances as prayed for without any further loss of time?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) Yes, excepting Babu Suhrid Kumar Mullik Choudhury.

(*ii*) and (*b*) Lalit Mohan Singh, Anil Chandra Roy and Aswini Kumar Ganguli have been granted family allowance at Rs.40, Rs.20 and Rs.60 per

mensem, respectively. Lalit Singh has been released recently. No family allowance has been sanctioned to Phani Bhusan Mazumdar and Haripada Bose. The case of Madan Dhar is under consideration.

(*a*) (*iii*) I have no information.

Srijut NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state what is the present amount granted to the family of Aswini Kumar Ganguli as allowance?

Khan Bahadur MOHAMMED ALI: I refer the honourable member to answer (*a*) (*ii*) and (*b*).

Srijut NARENDRA NATH DAS GUPTA: It is not clear there. It is mentioned that family allowance has been granted at Rs. 40, Rs. 20 and Rs. 60. What is granted actually is not clear.

Khan Bahadur MOHAMMED ALI: It is obviously Rs 60. The word "respectively" is there. Obviously Aswini Kumar Ganguli has been granted family allowance at Rs. 60 per month.

Mr. NISHITHA NATH KUNDU: Will it be possible for the Hon'ble Minister to tell us the number of dependants of Anil Chandra Roy for whom only Rs. 20 has been granted?

Khan Bahadur MOHAMMED ALI: I want notice.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister please tell us on what basis these allowances were calculated or granted?

Khan Bahadur MOHAMMED ALI: Most of these petitions were rejected by the previous Ministry but they were reconsidered in view of the liberal policy of the present Ministry and that is why as liberally as possible these allowances were granted.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister please tell us something to substantiate the statement that an allowance of Rs. 20 per month has been liberally granted to Anil Chandra Roy?

Khan Bahadur MOHAMMED ALI: Yes, Sir, if his pre-arrest income is taken into consideration, then it will be found that Rs. 20 is quite liberal.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to tell us whether it is in pursuance of the liberal policy of the present Government that no family allowance has been sanctioned to Phani Bhusan Mazumdar and Haripada Bose?

Khan Bahadur MOHAMMED ALI: Because their cases were not deserving of consideration and they were rejected by the previous Ministry.

Rai HARENDRA NATH CHAUDHURI: Sir, the question has not been properly answered.

Mr. SPEAKER: He has given some answer; it may not be satisfactory to you.

Rai HARENDRA NATH CHAUDHURI: I am only drawing your attention that the reply was to this effect—No family allowance has been sanctioned to Phani Bhusan Mazumdar and Haripada Bose. Whether it has been sanctioned by the previous Government or not is not the point. After hearing the reply of the Parliamentary Secretary that Government has adopted a more liberal policy I put the question whether in purusuance of the liberal policy no family allowance has been sanctioned.

Mr. SPEAKER: This is a criticism of the policy. This is no supplementary question.

HELD OVER STARRED QUESTION

Offering of prayer by Muslim students in the premises of the Edward College, Pabna.

***11. Mr. SYED BADRUDDUJA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that permission to offer prayer by the Muslim students in a particular room in the premises of the Pabna Edward College has been withdrawn by the Principal?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps the Government have taken in the matter?

(*c*) Do the Government contemplate to restore the room for the purpose.

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) Yes.

(*b*) Government have approved of the arrangements made by the Governing Body of the College that, pending construction of a prayer hall outside the college premises, the Muslim students should use the northernmost room of the main Muslim hostel provided "Azan" is not called loudly.

(*c*) No.

(The House was then adjourned for 15 minutes.)

(After adjournment.)

Point of Privilege.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, before we take up the business this afternoon I would invite your attention on a point of privilege to the very negligent manner in which members of this Assembly are being treated by your office. I find, Sir, today laid on the table outside the Hall four letters which are stamped. Evidently they have come over through the post office. The letters are addressed to several members of the Assembly. (Khan Bahadur MOHAMMED ALI: How could you get the letters?) They were lying there strewn. (Khan Bahadur MOHAMMED ALI: And you simply picked them up!) Sir, we expect that such letters should be redirected to the addresses of

the members concerned. Only if the clerk concerned is directed by the Secretary to take off the Assembly addresses of the members and put down the residential addresses in Calcutta, the members will be very much helped. I would again appeal to you, Sir, to see that your office remembers that it exists for the members and not the members for the office. (Dr. Sanyal handed over the letters to Mr. Speaker.)

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, it is not fair to put it in the language in which the honourable member has done. There has been no such previous practice.

Dr. NALINAKSHA SANYAL: Yes, that is the practice. The letters of members are always redirected to the residential addresses of the members in this way.

Mr. SPEAKER: I will look into it.

GOVERNMENT BILL.

The Bengal Finance (Sales Tax) Amendment Bill, 1944.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I beg to introduce the Bengal Finance (Sales Tax) Amendment Bill, 1944.

(Secretary then read the short title of the Bill.)

Sir, I beg to move that the Bengal Finance (Sales Tax) Amendment Bill, 1944, be taken into consideration.

Sir, in September last when presenting the Budget for 1943-44 I informed the House that Government would introduce a Bill to enhance the sales tax at the earliest possible opportunity and had it not been for the fact that the September session took place immediately before the Pujas and we had to adjourn before the Pujas, I should have probably been able to take steps to have the Bill introduced in that session. The estimates which I presented in September last showed that during the current year our expenditure would exceed our revenue by 7 crores 37 lakhs of rupees. I regret to inform the House that the estimates which I shall present before the House later this month would show that the year's actual deficit is likely to be considerably larger. In these circumstances I feel it unnecessary for me to enlarge on the needs for raising additional revenue. The provisions of the Bill are briefly: (*i*) to double the rate of the tax; (*ii*) to make consequential increase in the deduction admissible under clause (*b*) of sub-section (2) of section 5; and (*iii*) to make an important addition to the schedule of tax-free goods.

Sir, I shall take the last of these provisions first. In the Statement of Objects and Reasons I have claimed that the only necessity of life not already included in the schedule of tax-free goods is the poor man's cloth. It is true that handloom-woven cloth is already exempt, but the bulk of the cloth used by the poorer section of the community is the cheapest kind of machine-made cloth. In order that the proposed enhancement of the rate shall not throw an additional burden on the poorer classes, it is proposed to substitute for the existing item 16 of the Schedule an entry

by virtue of which all *dhooties*, *lungies* and *sarees* whether handloom-woven or mill-made and the price of which does not exceed the amount to be fixed by the Provincial Government, shall be exempt. Even when doubled the rate of tax would amount to only 3 per cent. By comparison with the rate of sales tax imposed elsewhere this is most moderate and, taken in conjunction with the very comprehensive exemptions, will not, I am satisfied, cause hardship.

The provision in (*b*) of clause (*2*) of the Bill requires a verbal explanation. Most dealers exhibit tax separately in their bills, but this is not obligatory and whether the tax is shown separately or included in the price quoted by the dealers, the total of a dealer's bill is the sale price or the price which the dealer charges for the article. The tax payable by the dealer to Government is calculated on his turnover aggregate of the sale price received by him, and if we are to avoid taxing the dealer on that portion of the amount which represents the tax, it is clear that in determining the taxable turnover we have to allow him the same deduction. When the rate of tax is one-quarter anna in the rupee, deduction of one per cent. is not quite sufficient for this purpose and the dealer is, in fact, required to find 1·6 pie out of the Re. 1-8-9 that Government collect from him on every hundred rupees of turnover. If the tax is raised to one-half anna in the rupee it will be necessary to raise the deduction admissible under clause (*d*) of section 5(*2*) to 3 per cent. Even with this deduction the dealers will still be required to find a fraction of a pie (the exact fraction being ·16) on every turnover.

Sir, I shall now say a few words about the Sales Tax itself and in doing so I shall be very brief. The imposition of a tax on the sale or purchase of goods proceeds principally on the assumption, ignoring academic controversies about direct and indirect taxes, that it is just only because it is necessary. It is also really an equitable tax because it bears a direct relation to the consumer's spending power. Honourable members probably know that during and after the last war most of the great countries of the world including some of the Dominions, imposed a sales tax because the principal justification for the sales tax is its productivity, that is, its yield; and it is this productivity which in India attracted the cupidity of needy Finance Ministers of Provinces (Rai HARENDRA NATH CHAUDHURI: Finance Ministers of needy provinces:). In Madras as early as 1939 there was imposed a general sales tax—the first comprehensive sales tax in India. We must realise that in the allocation of revenues between the Centre and the Provinces, the Provinces' share is practically inelastic and the sales tax provides us with a weapon, and I think a very good weapon, of increasing our revenues without imposing hardships on the people. I do not think that more words are needed to commend my motion to the acceptance of the House.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, during the last session of the Assembly when the Hon'ble Finance Minister——

Mr. SPEAKER: Please move your motion.

Dr. NALINAKSHA SANYAL: I claim that I have got the right to move last of all, if I like. I have my own freedom in that regard. I am at liberty to criticise generally and then move my motion. I give you that assurance. I shall not get away.

Khan Bahadur MOHAMMED ALI: Sir, is it not necessary first to move the motion? Is he speaking generally?

Mr. SPEAKER: I am not allowing a general discussion now. It is desirable that the motion should be moved first and then a general discussion will be allowed.

Mr. SASANKA SEKHAR SANYAL: Since the honourable member has given you the assurance that he is moving it——

Mr. SPEAKER: I am allowing him.

Khan Bahadur MOHAMMED ALI: He says that he will move last of all. He must move his motion first.

Dr. NALINAKSHA SANYAL: If it is a point of order, I stand on my rights to move when I please. I will quote chapter and verse to show that members of Government including the Hon'ble Chief Minister have delivered their speeches and towards the end have moved their motions tabled in their name. I can give you hundreds of instances in which the last words of the member-in-charge were: "With these words, Sir, I move my motion or resolution". There have been numerous such cases.

Mr. SPEAKER: Dr. Sanyal, I am not going to give a ruling on this thing. But you please move your motion first.

Dr. NALINAKSHA SANYAL: I shall obey your direction. Sir, I beg to move by way of amendment that the Bengal Finance (Sales Tax) Amendment Bill, 1944, be circulated for the purpose of eliciting public opinion thereon by the 31st of December, 1944.

During the last session of the Assembly, when the Hon'ble Minister in charge of Bengal's finances regaled us with the story of the tragic failure to put the finances of this Province aright and while he was threatening us with increased burdens of taxation, some of us really knew and apprehended that various bombshells were coming on us not merely from the enemy from the east but also from our so-called friends from within. But little did we conceive that the bombs that were being manufactured in the archives of the Finance Department of the Bengal Secretariat were of such a character as would tear to pieces the economic life of the province and would make normal living difficult.

Sir, during the last session, I had invited the attention of Government to several cases of lacunae in the working of the Bengal Finance Sales Tax Act and I did expect that the Government would at least have the courtesy to examine carefully whether there was any justification or not in my submissions. I also hoped, although I am not expecting too much from this Government, that at least on matters like this where the Opposition and

members of the Government party have equally to suffer, they would have the good-sense of examining the various points suggested by me and various public institutions before a legislation or legislative amendment was sought. But when we were all asking for bread, little did we know that stones were being kept ready for us at a later stage.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Adequate notice was given.

Dr. NALINAKSHA SANYAL: Yes, about stones. We did not expect that Government would only come forward with an amending Bill with a view to increase the revenue without adequate consideration of the various other points that need revision at the present moment.

Sir, my objection to the Bill being taken into consideration this evening is on two fundamental grounds. My first objection is on a broad, general ground of not burdening the people of the Province further with any taxation measure at this stage at all; and my second objection is on the ground that this Bill is not a comprehensive one and does not cover various necessary points in regard to which the attention of the Government had been invited in the past

Sir, the Hon'ble Minister in charge has claimed that in view of the deplorable state of the Province's finances he has to raise revenue, and one easy and, in his opinion, equitable manner of raising revenue is by just enhancing the rate in the Sales Tax. I submit, Sir, that if the Government are convinced that the deplorable state of the Province's revenue is due mainly or largely to the conditions created by the War, the Government should make it perfectly clear to those authorities who are responsible for conducting, maintaining and running the war, to finance and foot the Bill themselves. It is extremely unfair, illogical and certainly without the slightest justification that people should be taxed against their will and beyond their capacity just because it suits some persons to carry on a war for protecting their possessions. Whose war are we fighting and what really are we going to achieve after the war is at an end is not at all known and not as yet clear. If it is a war for India's independence, surely I for myself and many of our party and most of our countrymen would gladly bear not only this burden but much more than that. But the war aim of Britain is still indefinite. We, Sir, who had repeatedly expressed our determination to stand against the Axis Power, against Fascism, have been definitely told that India's independence is a domestic concern of Britain and in connection with the Atlantic Charter and various other conferences and international agreements India does not find a place and India's independence has been of no concern. Why then should we be made to foot the Bill? And even assuming that India as a whole is involved, why should the poor province of Bengal which has to bear the brunt of the war being nearest to the war zone have to suffer the entire cost that is due to present-day war conditions?

Sir, the additional expenses involved must be borne by the Centre. We made it repeatedly clear that the Government of Bengal should submit most

effectively to the Central Government that any additional expenses that we are required to pay must be found by the Centre and cannot be laid on the poor inhabitants of this Province.

(At this stage the blue light was lit.)

Sir, I submit that I would like to speak for about half an hour more. (Cries of "No" from the European Benches.) This is a Bill, and in particular, when we are moving an amendment of the Bill there is no time-limit. (Interjections and laughter from the European Benches.) I would like to speak for two hours. If those who cackle have no patience, they can walk out, but I am prepared to stand and speak for any length of time and I want to convince my friends and I may be permitted to speak for some time more unless I am repeating the same thing over again and I am irrelevant.

Mr. SPEAKER: You just go on.

Dr. NALINAKSHA SANYAL: Sir, so far as this Bill, this measure goes, we feel that it is ill-timed, ill-advised and quite unnecessary. In the first place as regards the additional revenues that the Hon'ble Minister in charge expects I very definitely doubt if there would be any additional revenue at all if all the provisions of the Bill, as they stand, are given effect to. Nearly 40 per cent. of the present realisations come from piece-goods and out of the piece-goods income nearly 80 per cent. comes from what the Hon'ble Minister in charge now calls the poor man's cloth and seeks to exempt. We welcome this exemption. But let not the Hon'ble Minister go with the illusion that with these exemptions, even with the higher rate that he proposes on other commodities, the net additional revenue would be so much as to counter-balance the loss or deduction due to the exemption that is sought to be provided. So the Hon'ble Minister has carefully avoided any calculation as to what revenue he is expecting.

But my objection is not merely on that ground. As I have already stated, we object to the levy of any tax at this moment on the poor people of Bengal. Bengalees have had to suffer the vicissitudes of the war in many ways and on the top of the war we had cyclone and man-made famine of last year; following the famine, terrible pestilence and disease is stalking the country, and people are at their wit's end: they do not know how to eke out their very poor existence. This is surely not the atmosphere in which any taxation should be permitted.

Sir, my second objection is on the ground that the Hon'ble Minister in charge has not indicated how he proposes to spend the money that he wants to realise out of this additional taxation. When the Bengal Finance (Sales Tax Act was passed, this House was given to understand on the authority of the then Minister in charge of Public Finance in Bengal that the money levied would be directed to nation-building work. We were foolishly given to believe that ministerial promises are really meant to be carried out, meant to be honoured. And there were many such foolish persons in the Assembly with whose votes the Bill was passed into an Act. We discovered after that not one single rupee out of that additional taxation could be said to

have been directed specifically to nation-building works. Increasingly, money was demanded by various other new-fangled objects, and, Sir, most of the nation-building departments had to suffer during the last three years of war. If the Bill goes to the public for their opinion, we would like public of Bengal to give their verdict as to whether they would like to have a Bill with taxes on them imposed on general grounds, to maintain the police or the civic guards or to have slit trenches improved only to be wasted or whether they would like the money, if at all to be levied, to be directed to nation-building work.

My third objection to this Bill is on the ground that already there has been a phenomenal rise in the prices of commodities and the original rate of one pice to the rupee has now given a fortuitous income of a very large amount of money to Government because prices of commodities have gone up by 300 per cent., 400 per cent and more. Even with the same rate as before Government is and has been getting for some time past a very large unexpected and unearned revenue Whey then should there be any attempt to multiply that additional unearned revenue by two times and to increase the burden of the people that way? I have strong objections to imposition of any additional charge because prices have already been too high.

I object to this Bill also on the ground that contrary to what we thought at first the Sales Tax is actually more or less of the nature of a Profits Tax, and the business community of Bengal have already been placed at an extremely unremunerative position by the various control measures of Government and are quite unable to bear the burden of any additional taxation

Apart from the injury that this Act has caused to traders and business-men, this Bill, if enacted, would retard production and would very seriously affect the position of Bengal compared to other Provinces in the matter of industrial development. This might also indirectly aggravate the evils of inflation because consumers' goods in this Province will gradually decline.

The procedure, moreover, for the realisation of the Sales Tax has not been hailed with any amount of blessings by the people. It has been causing much hardship to the traders. While Income-Tax authorities acknowledge the statements and authenticity of accounts of traders the Sales Tax authorities in Bengal require new forms and new statements to convince them, and, Sir, there have been numerous instances in which harassment and hardship have been caused to the merchants due to these new requirements.

Sir, the inclusion of the poor man's cloth in the Schedule of Tax-free Goods is welcome, but, Sir, I would invite the attention of this House to the very ingenious manner in which this has been sought to be introduced. While introducing the exemption of poor man's cloth the Hon'ble Minister in charge seeks to take out the privilege already existing, the privilege originally granted to all classes of handloom-woven cloth. Sir, the Act already enables Government to add to the list of exemptions and if Government really had a *bona fide* intention of coming to the relief of the poor

people of Bengal in regard to their consumption of cloth there was nothing to prevent Government from adding to the list of exemptions in the past.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Handloom-woven cloth is going to be exempted up to a certain value.

Dr. NALINAKSHA SANYAL: Handloom-woven cloths are going to be taxed if they are of a certain value and above. At the present moment all handloom-woven cloths are exempted. What the Government is trying to give by the right hand it is taking away by the left and probably it is taking more away by the left than it is trying to give by the right. In fact, I scratched my head at first to find out why is it that there was so much enthusiasm and tears for the poor man at this stage and I discovered, Sir, after an enquiry, that there was some history behind this exemption. The history behind it is this that certain classes of cloth manufactured in Bengal by the poor weavers of Santipur and Dacca are now exempted. The very watchful watch-dogs of the Finance Department felt that these exemptions should no longer exist and they issued executive order that certain silk cloth of Murshidabad and Benares and also higher grade Santipur cloth and other similar costly cloth should be taxed, and they ruled, little caring for whatever may be in the Schedule they were convinced that the exemption of handloom cloth was only with a view to give the poor man relief. It was claimed on the other hand by the commercial community that the exemption was deliberately given after an amendment was made in the Assembly—and I remember it was an amendment of my esteemed friend Rai Harendra Nath Chaudhuri. It was given on the specific ground that we wanted to encourage handloom industry, we wanted to encourage indigenous local industry and wanted to sustain those poor weavers of Bengal. And in spite of that argument, Sir, the authorities of the Sales Tax Department refused to accept the exemption. The matter had to be referred to the High Court and the case is still pending. It is the case of Iswar Das Kapoor & Sons against the Bengal Government. It has been our experience that whenever Government is in difficulty having transgressed the bounds of law somewhere it either tries to correct that legal defect by an enactment of a subsequent legislation with retrospective effect or by taking recourse to Ordinances

I presume that in this particular case the Defence of India Rules could not very well be invoked and therefore by a clever subterfuge, in order to get away from the possible castigation of the High Court of Judicature in Bengal, Government are trying to get handloom cloth out of the exempted list.

Sir, it will be noticed in section 6 that it is only when Government wants to take something away from the list of exemption,—that is in section 6(2),—it is only when they are intent to reduce the number of exemptions that an amending legislation is necessary. When however they intend to add to the list of exemptions no such measure is required. They could do it under executive orders, because the rules and the law enable the same. I submit, Sir, that it is extremely unfair and improper to take recourse to such a measure in the name of relieving the poor men of Bengal.

Sir, I shall now come to the second set of my objections——

Mr. SPEAKER: Dr. Sanyal, you have already taken 28 minutes.

Dr. NALINAKSHA SANYAL: Sir, I have two sets of objections—one relating to the financial side and another relating to the lacunae.

Mr. SPEAKER: How long will you take?

Dr. NALINAKSHA SANYAL: It is difficult to say that. If the House does not permit me to go on I may have to speak on some other motion, because I want to take this opportunity to lay before the House all the lacunae in the operation of this Act, which have been discovered so far and which I have been able to collect.

Mr. SPEAKER: Your other friends in the House may also want to speak. All right, you go on.

Dr. NALINAKSHA SANYAL: I now come, Sir, to the various lacunae in the present legislation which I have been able to discover and which I presume have also been noted by Government during the operation of this Act for the last 2—3 years.

The first important lacuna that I have discovered is that contrary to the assurances given and to the very spacious platitudes with which we were regaled, this Act is now discovered not to be an one-point tax Act. There is nothing in this enactment, not one clause, one section of sub-section anywhere which states that a commodity cannot be taxed twice, although, Sir, that was the declared intention. As a result, there have been numerous cases of double taxation and also possibilities of multiple taxation.

Sir, the Madras Act is an Act openly and frankly admitting that it is a turnover tax and there the rate allowed is very very small. On each turnover a small levy is made, so that you may actually know the burden imposed if you can ascertain how many transactions take place and how much amount is collected ultimately. In Bengal, Sir, although we intended that this measure should not authorise more than an one-point tax, the use of the term "taxable turnover" and the scrupulous avoidance of any section or sub-section to clarify the point whether a commodity that has already been taxed should not be taxed again makes the position very awkward. I thought that when the Hon'ble Minister was trying to enhance the rate he would at least have the fairness to make that point clear. As at present, if a registered dealer sells an article to an unregistered dealer, he realises the tax and if that unregistered dealer transfers the article to a registered dealer and that registered dealer again sells it to either a consumer or to an unregistered dealer he would have to pay the tax again although he can show evidence that at one stage tax was paid on the commodity. Numerous such instances have been happening as the practice of trade is such that there are and there will exist intermediaries in business, some of whom may be registered and some of whom may not be registered.

Coming now to the chapter of definitions, I would submit that great hardship is being experienced because of some lacunae in the definition of "dealer". A dealer under the present definition means any person, firm or Hindu joint family engaged in the business of selling or supplying goods in Bengal and where the main place of business of any such person, firm or Hindu joint family is not in Bengal, a dealer means the Manager or other agent of the person, firm or Hindu joint family in Bengal. There have been numerous instances in which sales effected in areas outside this Province and when deliveries are also effected as a result of those sales come under the mischief of this enactment because there may be an agent here, merely a man to collect the amount of money which this dealer from outside is entitled to because of the sales effected The mere existence of one humble agent here for collecting bills makes it not only obligatory for the merchant to pay tax here but also obligatory for him to produce all his account books before the Commercial Sales Tax Officer here. Supposing that there is a merchant in Bombay or in Delhi who has sold certain articles to a person in Bengal for delivery in Bengal—and this is happening almost every day when we are buying cotton piece-goods or raw materials for our industries from outside, when sugar mills buy their sulphur from outside or when any iron and steel factory buys raw materials or even partially finished materials from outside—the transaction is finished outside. The sale has taken place evidently outside but the delivery is made within the Province and the money is collected within the Province The whole accounts of that Bombay or Delhi merchant are liable to be brought before the Commercial Sales Tax Officer here. This is, Sir, something absurd, if no stronger word can be used.

The definition of "sale price" creates another set of difficulties In the definition of "sale price", difficulties are arising because commission, packing charges, transit and delivery charges and *Iswarbritti* and such other practices which exist and which the merchant does not pocket himself but has got to pay to some other institutions are all included, and what is surprising, Sir, is that even the sales tax itself is included in the sale price.

Under the definition of sales tax, the total cost that appears on the invoice is taxable. If in that invoice——

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: That is why a deduction is given.

Dr. NALINAKSHA SANYAL: I will show mathematically how that is an absurdity.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I have already given you the calculation.

Dr. NALINAKSHA SANYAL: You are not a monopolist of mathematical calculations. In an invoice, the first item is the cost of the article; the second item is commission or brokerage or whatever is the business practice; the third item is packing charges; the fourth item is transport or railway freight charges and the fifth item is *Iswarbritti*. All these other

items are taxable for the sales tax, so that the merchant does not get any benefit out of other items. Naturally the amount of tax goes up. My esteemed friend Mr. Goswami points out that out of generosity one per cent. of deduction has been permitted on the sales tax collected. I will give you mathematics in that connection. Will the Hon'ble Minister in charge please take down?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I have worked it out and given it to the House.

Dr. NALINAKSHA SANYAL: I will make a present of it to the Hon'ble Finance Minister from the House. Supposing there is a sale effected for Rs. 1,000. The tax which the merchant can collect from the person to whom he has sold is, on the basis of 1 pice, per rupee Rs. 15-10. The total of the bill would be then Rs. 1,015-10. Allowing one per cent. on that the deduction allowable would work out at Rs. 10-1 and the resulting taxable turnover is Rs. 1,005-9 because Rs. 10-1 is exempted and in the calculation of Government it will read as Rs. 1,006 because more than 8 annas will be treated as one rupee. Therefore the dealer is liable to pay a tax of Rs. 15-11-6. He has only collected Rs. 15-10. He is still out of pocket to the extent of Re. 0-1-6. Is that mathematics? This one per cent. has been exempted on that basis. There is no provision made for relieving the businessman for the trouble taken in collecting. Not only has no provision been made for the collection charge but he is made to pay something out of the sale price also Out of the tax collected, he is not in a position to cover the whole amount That has been the present position.

Coming to the future position of the proposed 3 per cent. if 3 per cent. is allowed instead of 1 and the rate increased to half an anna instead of one pice, the resulting calculation would show that relief must be given to the extent of ¼th of a rupee, that is 2 annas in one rupee, otherwise the merchant will be out of pocket. If 3¼ per cent. exemption is given he could just cover the tax. But you are only allowing 3 per cent. You will therefore be encroaching upon the sale price also, and you will perpetuate the practice of the sales tax being collected on the sales tax itself. I suppose it is now clear to the Hon'ble Minister in charge that departmental mathematics is not always dependable.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mathematics is perfectly correct. I don't need any instructions from you.

Dr. NALINAKSHA SANYAL: The members of the present cabinet are all *sub janta*. They only need help from their Secretaries when they cannot manage a Committee meeting or the Assembly.

Mr. SPEAKER: That remark is not desirable.

Dr. NALINAKSHA SANYAL: Coming now to other sections of the Act, I shall take section 6. Section 5 has already been disposed of. Under section 6, exemptions are provided which are given in the schedule. It is stated that there are two general principles which have been followed in

giving these exemptions. One is that the poor man should not be taxed and the other is that articles that have already been subjected to some kind of levy due to other measures or enactment should not be taxed over again and double taxation has been avoided. Even on these standards I find that although tobacco has been subjected to taxation, after the Tobacco Excise Act has been enacted, *biri* which is a poor man's necessity—I might say, now we know from our jail experience, how very necessary *biri* appears to be for the poorest man, is not exempted: neither tobacco leaves, although both have ingredients which have already been taxed elsewhere. If exemptions are given on the ground of the poor man's consumption being exempted, surely *biri* can claim such an exemption and if exemption is given on the ground that no article should be taxed twice surely tobacco which goes in the composition of *biri* or tobacco leaves should obtain exemption from the sales tax.

I don't deal with section 7 which relates to the registration of dealers although there have been numerous occasions of hardships because I believe that these could be corrected or improved by executive action.

Mr. SPEAKER: You asked for 15 minutes and I have given you 17 minutes. How long will you take?

Dr. NALINAKSHA SANYAL: I will take 10 minutes more.

Khan Bahadur MOHAMMED ALI: Dr. Sanyal is not the only member.

Dr. NALINAKSHA SANYAL: This is not the only day. I am not repeating any argument.

Mr. SPEAKER: I will give you 5 minutes more.

Khan Bahadur MOHAMMED ALI: You have been more than generous to him.

Dr. NALINAKSHA SANYAL: Under section 8 which provides for voluntary registration, there is no provision which compels the executive officers of Government to issue registration licence early. As a result, applicants have to wait indefinitely and serious hardships often occur. Although arrangements are made for running the business, the merchant fails to do the work in the absence of a certificate. I submit, Sir, that this is a matter which can be improved by executive action; but if that is not possible, Government should try to see if suitable provision is necessary by which a limit of time may be imposed of, say, seven days within which registration certificate must be granted or any temporary licence may be given to enable the applicant to carry on, pending enquiry and disposal of his application.

Section 9 deals with publication of names of registered dealers. In this respect the action of Government is nothing short of a scandal. For months together no list was published; no list was made available to registered dealers to enable them to find out if they were correctly doing their work and they were not being duped by others who were falsely representing that they were entitled to exemption on particular goods. There have been

publication of the list of late, but, Sir, the manner of that publication is such that it is absolutely impossible for any man of ordinary common sense to find out from that list any name or to find out the article or articles for which registrations have been provided. The printing is hopeless; the type is very small and as for the arrangement and order, there is no alphabetical list made and it is impossible to trace anything from the voluminous report that has been printed.

When we come to section 10, we find that there is a provision that annual returns will come into operation after some time. In the meanwhile the business community will have to submit quarterly returns which are often very irksome and difficult to prepare.

Under section 11 there is a provision under Assessment of Tax, namely, that if no returns are furnished by a registered dealer in respect of any period by the prescribed date, or if the Commissioner is not satisfied that the returns furnished are correct and complete, the Commissioner shall, within twelve months after the expiry of such period, after giving the dealer a reasonable opportunity of being heard, proceed in such manner as may be prescribed to assess to the best of his judgment the amount of tax due from the dealer. The twelve months' period was there contemplated with a view to avoid any hardship to the dealer and to prevent any inquisitorial enquiries but the retention of this twelve months has been really working against the interest of the dealers themselves because it is difficult both for the dealer and the administrative officer to fix up the programme in such a manner by which time the returns and the explanations would be ready, and if the returns are not furnished properly, immediately the mischief of the Act comes into operation.

Further, there is another set of cases which are causing great hardship, cases which are technically known in the department as "left cases." During the air-raids in December, 1942, a large number of merchants had been advised to go out of Calcutta and to take their business outside if possible. Many left out of their own accord, but the law is so defective that even after their coming back they are harassed enormously and the notices of assessment are now put up at their old addresses and not served to their knowledge——. (At this stage the red light was lit but the member was allowed to conclude his speech in a few words)——

I submit, Sir, I have numerous such cases to show that the Bill is full of lacuna which needs revision and I hope the Hon'ble Minister in charge would look into all these aspects before proceeding with this legislation. It is with that object in view that I press my motion for circulation of this Bill so that we may find an opportunity of having a more comprehensive measure of such a character placed before the House.

With these words, Sir, I commend my motion to the acceptance of the House.

Mr. SHAHEDALI: Sir, I beg to move by way of amendment that the Bengal Finance (Sales Tax) Amendment Bill, 1944, be circulated for the purpose of eliciting opinion thereon by the 30th June, 1944.

Sir, in the Statement of Objects and Reasons the Hon'ble Minister in charge has stated that "the Bill seeks to increase the revenue of the Province by raising the rate of the tax leviable under the Bengal Finance Sales Tax) Act, 1941, from one-quarter to one-half of an anna in the rupee." But for what purposes? So far as the purposes are concerned, he has not said anything. Sir, originally the idea was that the money that would be realised from Sales Tax would be ear-marked for nation-building purposes: but that has not been done. If the Hon'ble Minister really feels that no additional burden should be laid on the poor people but at the same time money must be found for meeting the deficit, that can be done by effecting economy in the administration of the Province: they can decrease their establishments; they can decrease the salaries of the Government officers; and in many other ways they can effect economy to meet their deficit.

Sir, if this tax is increased, the poor people will suffer most. My object is to save the poor people from this tax. The lower limit of assessable income under the Agricultural Income-Tax Act is Rs. 3,500. If necessary, Government can decrease it even to Rs. 2,000, because there are people who are to be affected by that tax who are not really poor and who can afford to pay. If that is done, the poor people will be saved from these taxes.

Now, Sir, it is known to all that the Province is in the grip of scarcity of food: the poor people cannot purchase food for want of money. There are landless labourers who are in great difficulty: they are dying in hundreds and thousands, and Government is aware of it. Under the circumstances may I request the honourable members opposite to ascertain the views of the poor people who cannot purchase food on this Bill and see whether they really want a tax of this kind.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. We do not find the Hon'ble the Finance Minister present. On an important Bill like this it is only just and fair that he should be present here at the time of discussion.

Khan Bahadur MOHAMMED ALI: Notes are being taken.

Dr. NALINAKSHA SANYAL: Notes cannot be taken. Sir, in the Central Legislature on a similar ground the House was adjourned by the Speaker. It is discourtesy, pure and simple, shown to the House.

Mr. SPEAKER: Dr. Sanyal, if you had known the reasons, I think you would not object to this. The Hon'ble Minister has not shown any discourtesy to the House; he is coming shortly.

Mr. SHAHEDALI: Sir, the only point I want to place before the House is this: whether the people of Bengal want this tax or not. I want to impress upon the honourable members opposite to ascertain whether their own constituencies want this taxation. It can be published in the *Banglar Katha* and the *Bengal Weekly* and through them the opinion of the poor people in Bengal can be gathered. I submit, Sir, this Bill should be withdrawn. If Government really want money, they can have it by practising economy, or by some other means, or by reducing the assessable

limit under the Agricultural Income-Tax Bill from Rs. 3,500 to Rs. 2,000. In that case Government will have a greater income, or they can have a greater income by increasing the rate of income-tax, but we do not want this sort of legislation. With these words, Sir, I resume my seat.

Mr. SASANKA SEKHAR SANYAL: Sir, in the absence of Mr. Pratul Chandra Ganguli, I want to move the motion that stands in his name.

I beg to move by way of amendment that the Bengal Finance (Sales Tax) Amendment Bill, 1944, be circulated for the purpose of eliciting opinion thereon by the 25th March, 1944.

Sir, if there is one thing that I have appreciated in the speech of the Hon'ble Mr. Goswami it is that instead of taking recourse to the smoke-screen of platitudes of nation-building and progressive schemes and all that, he has frankly stated that he proposes additional taxation in order to balance the heavy expenditure to the extent of Rs. 7 crores and odd and he has also said that the figure will be more as the days go on.

Sir, if one argument is enough to oppose the proposed taxation, that argument is furnished by the Hon'ble Minister himself. Extra expenditure cannot be accepted as sufficient ground for extra taxation. Extra taxation on the ground of expenditure can be allowed only when the new collections are either earmarked for new schemes of a beneficent character or when Government makes out a strong case that the expenditure cannot be cut down. I submit, Sir, that in either direction the Hon'ble Minister has failed to satisfy the House that the proposed taxation is in order. So far as the question of beneficent activities is concerned, I submit he has not a whisper to make and so far as the question of expenditure is concerned, the Hon'ble Minister cannot with a clear conscience tell the House that Government has exhausted all possibilities of retrenchment and cutting down of expenditure. We on this side of the House are convinced that the administration has been top-heavy. The composition of the Ministry, the additional appendage of the costly Parliamentary Secretaries and the new departments that are daily and hourly cropping up in the name of additional work—all these things, if they have done anything, have over-burdened this province with a very, very top-heavy edifice of administration? Before the tax-payers who are admittedly very poor are asked to pay for the additional expenditure, is it not fair for the Minister to say to the House and to the larger public outside that they have curtailed their own expenditure? The previous Government carried on with a lesser number of Ministers than the present and if a larger number is unavoidable, the number and emoluments can be balanced. Can we not expect of the Finance Minister, who is, after all, an honourable gentleman, to tell the House and the larger public outside that he is prepared to cut down the expenditure on his behalf and on behalf of the Ministers and Parliamentary Secretaries. (Mr. ATUL CHANDRA KUMAR: And the honourable members.) Yes, I am coming to that. I am glad that my friend Mr. Kumar is at least able to anticipate the Opposition argument which is coming next. Even these members ought to be told to forego a part of their existing emoluments. When grinding poverty is

emasculating our constituents, it is only fair that the Ministry should come with a proposal for curtailment of expenditure which is provided for the members, for the Parliamentary Secretaries and for the Ministers and if we can curtail our expenditure here, we can with courage and with strength ask the public services also to forego a part of their remuneration and emoluments. This is necessary; this is indispensable and why do not the Ministers propose. (Babu NARENDRA NARAYAN CHAKRAVARTY: বড় বড় কথা). These big words are probably not so easily and quickly forgotten by the big members who are adorning the Government party benches there. If these are big words, I have had some experience of learning some of these words from the feet of those persons whose ghosts are now haunting the Treasury benches. It is no use hurling these cheap abuses. After all, business is business.

Sir, it is easy to have measures of taxation passed by the help of hands and by the help of voice, but it is not so easy to answer the constituents and if the Ministerialist Party think that this measure ought to have the approval of the electorate at large, they ought to have the courage to send it for eliciting public opinion thereon.

Sir, this motion which I am now moving has given the returnable date as the 25th March—it is neither June, 1944, nor December, 1944. If opinion is elicited by the 25th March and if opinion is in favour of this Bill, this Bill can be passed into law only in course of this session.

Sir, I submit that there are two tests for a measure of this description The public should be given an opportunity for examining the merit of the Bill itself. They ought to be consulted and they ought to have a voice in this additional measure of taxation It also needs another test, namely, whether the public are willing and prepared to give additional resources in the hands of the Government of the day. If the Government of the day are convinced both of the justice of the measure and of the confidence that they have enjoyed of the public, they should be the last to oppose the circulation which is proposed by the amendment which has been moved by me. Hereinbefore large revenues have been collected and large revenues have been inherited by this Government, but today we find that the exchequer is in a position of dissipation. Since there is dissipation clear and patent it is hardly fair to gulp down the throats of an unwilling electorate an additional taxation measure and we do oppose the Bill. As has been said by the previous speaker my honourable friend Mr. Shahedali if there are schemes, if there are programmes which are progressive we do not grudge expenditure because if we want to call the tune we must be prepared to pay for the piper. When the piper is whistling away merrily according to the tune of whimsicality and dissipation, the piper cannot in every fairness be compelled to pay for that.

Sir, you must have known and everybody in the Province knows that department after department is being foisted upon the depleted exchequer of this Province. These departments have become the recognised machinery for extending patronage to the world at large and since they are only to be the methods of patronage and not methods of benefit therefore

they have been costly and unremunerative. We, on this side of the House, emphatically demand that Government should take stock of the situation. Government ought to find ways and means for eliminating unnecessary cost, for curtailing unnecessary expenditure and for coming to a level in which they can make adjustments between the expenditure and the income. If thereafter Government comes with a clean mind and a clean hand asking for any resources with a view to finance necessary progressive measures that will benefit not coteries, not cliques but the people of Bengal at large irrespective of caste and community then, Sir, we on this side of the House would be the earliest in giving our cordial support to such a proposal. Before that we are not willing to lend our support.

The Hon'ble Mr. T. C. Goswami should kindly take note of the fact as has been pointed out by Dr. Sanyal with regard to the substitution of handloom by cheap cloth. I hope that he in his goodness will not be humbugged by persons who have drafted the Bill who probably have other minds in this matter. At the inception of this taxation measure, *khadi* was proposed to be excluded. That was accepted by all sections of the House and that stand part of the law today. But the substitution which is proposed by this Bill will deprive *khadi* of the benefit of the immunity which it enjoys. I think that other things also will be deprived of their immunities. I think that the Hon'ble Mr. T. C. Goswami did not contemplate this alteration in that way. Where there should have been addition, there has been substitution and I hope Mr. T. C. Goswami will find his way to reconcile between the two. But that is a matter of detail pure and simple and if and when the Bill is discussed and considered clause by clause on the merits of each particular provision then this clause will be discussed and suggestions would be forthcoming. But at the present stage of discussion, we on this side of the House want that the Bill should be circulated for eliciting public opinion and this is not merely from the point of view of Government and Treasury Benches. This is also from the point of view of the Coalition Party which is supporting the Government. The members who are supporting the Government ought not to give up this opportunity which they will have to ascertain the views of their own electorate upon this matter and this opportunity will either strengthen them in the matter of supporting the Government or if they get a different verdict and view from their constituencies they ought to be strong enough to persuade the Government to drop this measure. After all, sales tax is not really a sales tax; it is a consumer's tax. If this taxation is intended to grab only the profits of the greedy merchants who have piled a lot during the war situation we should not have grudged it so much except on technical principles, but since the consumer, the large bulk of whom is the poor middle class and has already been hit very very hard on account of the war situation is going to be hit further, it is our duty to warn Government against rushing through a measure of this description. The existing sales tax is itself a burden and Government should cry halt before thinking of burdening the poor ratepayer over again and we also give this pointed reminder to the Coalition Party that they should think of the dry faces and drained pockets of their

constituencies before they think of giving additional resources to a Government which has neither a plan nor a scheme for public activity.

With these words, Sir, I commend my motion to the acceptance of the House.

Sir HARI SANKER PAUL: Mr. Speaker, Sir, the Bengal Finance (Sales Tax) Amendment Bill now before the House is a legislation of a most retrograde nature sought to be enacted at a time and in circumstances most unsuited to such a measure. Bengal is already groaning under heavy taxations on various accounts and it is a matter of sincere pity that at a time when disastrous calamities following so closely one after another have blown the very wind out of her leaving behind economic prostration and abject misery for the masses, the sponsor of the Bill should have thought it opportune to bring in the ill-conceived amendment seeking to raise the rate of the Sales Tax from one-quarter to one-half of an anna in the rupee.

I cannot understand nor can I countenance the Government policy of raising more and more revenue by such taxation measures even if it be to finance war efforts as this would be tantamount to whipping a dying horse seeking to harness it to some burdensome work. I ask the author of the Bill if he has in recollection the original declaration of the Government when imposing the Sales Tax in 1941 that the proceeds of the tax would be spent only in nation-building works; can I not pertinently ask him to tell the House to what specific works of nation-building has the money of the tax been devoted? If he cannot give the House a satisfactory reply to this, the present Bill in amendment of the Sales Tax does not deserve any support whatsoever.

Another very important aspect of the Sales Tax must have drawn the attention of all. The original amount expected as proceeds of the Sales Tax when it was passed in 1941 has undoubtedly trebled or even mounted higher in view of the fact that almost all the necessaries of life within the scope of the tax have witnessed a phenomenal rise in their price level. The nominal calculated basis of one-quarter of an anna in the rupee has thus in effect been three-quarter of an anna or more; and in these circumstances the proposed amendment for the purpose of raising the statutory rate to one-half of an anna is not only uncalled for but would be positively unjust and exorbitant and would be throwing a crushing burden on the people in their present deplorable economic condition. No argument however sophisticated can do away with the force of what I have just said. I am sure I carry the whole House with me when I say that this proposed measure cannot be entertained for a moment in the light of what I have said above.

Mr. Speaker, as a businessman I will just speak a few words how the Sales Tax has very badly affected the commercial community. I may tell the House that although the declared intention in respect of the Sales Tax was to shift its burden on to the consumers it has practically not been possible in very many cases to do so for reasons that I need not dilate here; so the burden has thus rested on the commercial community and

has served more as a profit tax than anything else. The commercial community more than any other has already been marked out for being subjected to greater and severer impositions as time has rolled on as if it has an ever elastic stamina and an inexorable capacity for absorbing shocks of crushing impositions. It can ill-afford now to be saddled with another increase in the load on it in the shape of increased rate of Sales Tax. In all seriousness that I can command I may tell the House that there is absolutely no scope of further imposition on the commercial community, as the proposed amendment will in effect be; this community has throughout the whole period of the War been made to bear the brunt of taxation on various scores. The glaring evils of inflation would thus naturally be aggravated by consequent restriction of supply of articles in the market with the inevitable interference with the intensification of war efforts. I would therefore strongly urge the dropping of the proposed measure forthwith and allowing the people to have some breathing time. Should it however for any reason whatsoever be decided to proceed with the Bill I would stoutly maintain that certain modifications in the Bill are absolutely necessary which I am immediately laying my fingers on.

I quite appreciate the desire of the Government to spare the poor from the effect of the proposed piece of legislation by including among other articles *dhotis*, *loongies* and *sarees* in the schedule of tax-free goods; but is it, I ask, enough to rid the measure of its undesirable aspects and make it wholesome and acceptable? What has the large section of the middle classes that have been the worst sufferers in the extraordinary conditions and circumstances prevailing in the province done to merit this ignoring of their plight? Unless their interest too receives due consideration and is protected in the proposed measure I am afraid matters may tend to a worse deterioration which none of us would like to see. These middle classes, it is evident to all, have been struggling for the bare sustenance of life to keep anyhow body and soul together, and as such they merit as much consideration of their present misery as the poor I strongly feel and I am sure the whole House will be at one with me that important articles like drugs and medicines they are vitally concerned with, should be included in all propriety in the schedule of tax-free goods. Floods, famine and pestilence have visited this province with greater devastation than ever and all these have had an unholy combination to contribute to a gradual devitalisation of the masses leaving them an easy and helpless prey to the virulence of these calamities. Widespread diseases throughout the Province has been most alarming and the scarcity and abnormally high prices of drugs and medicines have only gone to aggravate the misery of the masses. Inclusion of the only item of Quinine amongst tax-free goods is certainly not adequate to meet the requirements of the time and to afford the much needed relief to any appreciable extent. I would therefore strongly request the House to take stock of the present situation and rise equal to the occasion and free all kinds of drugs and medicines from the operation of the Sales Tax. The force of this suggestion of mine will, I am confident, find a response in every heart here and I do assure the House that nothing would

be more just and proper in the present situation than to meet the demand for this statutory exemption. Likewise, the question of text-books, paper, pen, pencil, slates and similar articles of daily use of the students in educational institutions most deservingly call for sympathetic consideration for being exempted too from the purview of the Sales Tax.

Sir, the time we are passing through is extraordinary from every point of view. Events all around us are moving very fast indeed tending to throw out of gear the normal order of things and unless we move cautiously with a correct perspective of the changed situation and circumstances we would only be helping an aggravation of the force of disruptive influences. That is why I am so very much opposed to the proposed piece of legislation. But if that must be enacted it is our primary obligation to see that stings be taken out of it as much as possible to prevent the situation deteriorating further. Sir, I have tried to give a clear exposition of the difficulties that I visualise in the operation of the proposed measure and I am sure this merits consideration.

Maulvi ABDUR RAZZAK: মাননীয় সভাপতি মহোদয়, বাংলাদেশের এই দুঃসময়ে নানাদেশ হইতে বহু পরিমাণ সাহায্য আসা সত্ত্বেও লক্ষ লক্ষ লোক না খাইয়া মারা গিয়াছে, এবং লক্ষ লক্ষ লোক অনাহারে, অর্দ্ধাহারে, উলঙ্গ বা অর্দ্ধউলঙ্গ অবস্থায় মরণাপন্ন হইয়া রাস্তায় ঘাটে পতিত রহিয়াছে; হাজার হাজার লোক অখাদ্য খাওয়ার দরুণ স্বাস্থ্যহীন হইয়া ম্যালেরিয়া, কালাজ্বর, কলেরা ও বসন্ত প্রভৃতি রোগে আক্রান্ত হইয়া মারা যাইতেছে, পাকিস্থানপন্থী মন্ত্রিমণ্ডলী তাহা দেখিয়াও দেখিতেছেন না। অনাহারক্লিষ্ট ব্যক্তিদিগকে দৈনিক এক ছটাক খিচুড়ি খাওয়াইয়া আত্মপ্রসাদ লাভ করিয়াছেন। এবং ২৫০৲ টাকার কম মূল্যে বিক্রীত জমির কবালা রহিত করার আইন করিয়া নিজেকে গৌরবান্বিত করত: খাদ্য-সচিব বাহাদুর ফেণী জনসভায় জোর গলায় বক্তৃতা দিয়াছিলেন বলিয়া শোনা যায়। তিনি কলিকাতায় রেশনিং কার্ড প্রথার প্রবর্ত্তন করিয়া সর্ব্বসাধারণের আধ-পেটা খাওয়ার ব্যবস্থা করিয়াছেন। খবরের কাগজ প্রতিদিন তাহার প্রতিবাদ করিয়া আসিতেছে। এই সব অপকর্ম্ম করিয়াও চিন্তা করিতে পরিলেন না যে বাংলাদেশ দুর্ভিক্ষের কবলে পড়িয়াছে বরং চক্ষু বুজাইয়া, এই দেশের ব্যয় বাহুল্য না কমাইয়া ৯ জন মন্ত্রীর স্থলে ১৩ জন মন্ত্রী ও ১৩ জন সেক্রেটারী, ৪ জন হুইপ নিযুক্ত করিয়াছেন। দলপুষ্টি করার জন্য মেম্বর সাহেবানদের মাহিনা বাড়াইয়া মাসিক ২৫০ টাকা করা হইবে বলিয়া খবরের কাগজে জল্পনা-কল্পনা চলিতেছে। ইহাই হইল পাকিস্থানের নমুনা। এই পাকিস্থানপন্থী মন্ত্রিবর্গকে পাকিস্থানপন্থী মেম্বর মহোদয়গণ আর কিছুদিন জিয়াইয়া রাখিতে পারিলে সোনার বাংলা যে কবরস্থানে পরিণত হইবে তাহার প্রমাণ বিক্রয়-কর বিল দ্বারাই বুঝা যাইতেছে। ধরিয়া লওয়া যাউক যে সময় টাকা প্রতি ৫৫ পয়সা কর ধার্য্য ছিল সেই সময় বিক্রয়-করের আয় ছিল দেড় কোটি টাকা। বর্ত্তমানে প্রত্যেক জিনিষের মূল্য গড়পড়তা চারিগুণ বাড়িয়া ১ পয়সার স্থলে চার পয়সা হইলে তাহার দ্বিগুণ হইবে ৵০ বা আট পয়সা, তখন বিক্রয়-করের আয় দাড়াইবে ১২ কোটি টাকা। কৃষি আয়-করের পরিমাণ কত হইবে তাহা মাননীয় মন্ত্রিমহোদয় জানেন। এই কর জনসাধারণ বহন করিতে পারিবে কিনা ইহা ভাবে কে? কেবল পাকিস্থান আনতে হবে, মন্ত্রিত্ব বজায় রাখতে হবে তাই হইল ভাবনার বিষয়। নোয়াখালি ডিষ্ট্রীক্ট বোর্ড ইলেক্সন ইহার চাক্ষুষ প্রমাণ দিতেছে। কিছুদিন পূর্ব্বে খাদ্য-মন্ত্রি বাহাদুর এরোপ্লেনযোগে ডি: বি: ই: ভোট কেনভাস করার মানসে

ফেণী পদার্পণ করিয়াছিলেন। সেই উপলক্ষে যে দুই-একটি সভা হইয়াছিল সেই সমস্ত সভাতে কেবল লীগ নমিনীকে ভোট দেওয়ার কথাই ওয়াজ করিয়া আসিলেন। লক্ষ লক্ষ ফেণীবাসী ইভাকুইশনে পড়িয়া বাড়ি, ঘর ও জোত জমি হারাইয়া মাঠে ও গাছতলায় বসতি করিতেছে তাহাদের প্রতি কোন সমবেদনা প্রকাশ করিতে দেখা গেল না।

মাননীয় মন্ত্রী বাহাদুরকে অনুক্লিষ্ট ব্যক্তিদের পক্ষ হইতে মাত্র ৭টি প্রশ্ন উপহার দিয়া জিজ্ঞাসা করা হইয়াছিল যে বিক্রয়-কর আইন দ্বিগুণভাবে পাস হইলে মর্দার কাপড়ের উপর টেক্স বৃদ্ধি হইবে কিনা ইত্যাদি তাহাতে তিনি--

Mr. DEPUTY SPEAKER : মৌলবী সাহেব আপনি মাইক্রোফোনের সামনে দাঁড়িয়ে গিয়ে বলুন।

Maulvi ABDUR RAZZAQ : আবার কৃষি-মন্ত্রী বাহাদুরকে নোয়াখালির জিলা বোর্ডের ইলেক্সন উপলক্ষে ভোট কেনভাস করিবার জন্য পাঠাইয়াছেন। তিনিকেও দরিদ্র কৃষকবৃন্দের পক্ষ হইতে গোটা ১২ প্রশ্ন দ্বারা সম্মানিত করিয়া জিজ্ঞাসা করা হইয়াছিল আপনার মন্ত্রিত্ব আমলে বিক্রয়-কর ও কৃষি আয়কর আইন পাস হইলে পবিত্র কোরাণ শরিফ ও ভাত কাপড়ের উপর টেক্স বসিবে কিনা তাতে তিনিও নাকেহাল মন্দ হন নাই। যাই হউক আমি ভারপ্রাপ্ত মন্ত্রি-মহোদয়কে জিজ্ঞাসা করিতেছি ভাত কাপড় হইল মানুষের বাঁচিবার সম্বল। এই দুই জিনিষের উপর টেক্স বসিলে মানুষ এই দুঃসময়ে বাঁচিবে কি না। একবার আপনার মন্ত্রিত্ব গ্রহণ করার পূর্ব্বের কথাগুলি স্মরণ করিয়া বিক্রয়-কর বিল জনমতের সংগ্রহের জন্য পাঠাইয়া দিন ইহাই হইল আমার অনুরোধ।

Adjournment.

The House was then adjourned at 6-30 p.m. till 3-30 p.m. on Thursday, the 3rd February, 1944, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 3rd February, 1944, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI) in the Chair, 12 Hon'ble Ministers and 172 members.

STARRED QUESTIONS

(to which oral answers were given)

Family allowances for Tarapada Ghosh and Radhagobinda Sarkar of Birbhum.

***30. Dr. SHARAT CHANDRA MUKHERJI:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether—

(*i*) Tarapada Ghose and Radhagobinda Sarkar of Birbhum are under custody in the Presidency Jail, Calcutta, as security prisoners under rule 29 of Defence of India Rules;

(*ii*) they have made any application for family allowances and sent reminders which still remain unanswered?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether any allowances have since been granted to them; and

(*ii*) if not, why not?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes; these were acknowledged.

(*b*) An allowance of rupees twenty has been granted to the brother of Babu Tarapada Ghosh with effect from the 1st April, 1943.

The case of Babu Radhagobinda Sarkar was examined and as he was not earning anything before his arrest and as the family has not been deprived of any legitimate source of income by his arrest and detention it has been decided not to grant any family allowance to him.

Family allowance for Dr. Rabindra Kumar Ray and two other security prisoners.

***31. Babu JNANENDRA CHANDRA MAJUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether—

(*i*) security prisoners Dr. Rabindra Kumar Ray, Babu Ganesh Chandra Sanyal and Babu Radhika Mohan Das, detained in the Dacca Central Jail, Rangpur Jail, but now in Buxa Special Reserve Jail and the Rajshahi Central Jail, respectively, have applied to the Government for the grant of family allowances;

(*ii*) Dr. Rabindra Kumar Ray was the Resident Medical Officer of the Dacca Mitford Hospital earning about Rs.60 per month, Babu Ganesh Chandra Sanyal had a stationery shop and Babu Radhika Mohan Das was carrying various kinds of business; and

(*iii*) they used to maintain their families consisting of wife, old mother, children and others?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether family allowances have been granted to the above mentioned security prisoners?

(*c*) If so, will the Hon'ble Minister be pleased to state how much has been granted to each of them?

(*d*) If no allowances have been granted, will the Hon'ble Minister be pleased to state the reasons thereof?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) Yes.

(*ii*) Yes, but my information is that Dr. Rabindra Kumar Ray was an honorary Resident Medical Officer of the Hospital and earned Rs.20 only per month.

(*iii*) Yes, but my information is that Dr. Rabindra Kumar Ray who is a bachelor did not maintain any member of his family.

(*b*) and (*c*) Dr Rabindra Kumar Ray has been granted a family allowance of Rs.20 per month with effect from the 1st April, 1943, Babu Ganesh Chandra Sanyal has been granted Rs.25 per month from the date of his arrest and Babu Radhika Mohan Das was granted Rs.60 per month from the date of his arrest which has been enhanced to Rs.75 per month with effect from the 1st April, 1943.

(*d*) Does not arise.

Petitions by security prisoners of the Dum Dum Central Jail.

***32. Mr. SATYAPRIYA BANERJEE:** (*a*) Has the attention of the Hon'ble Minister in charge of the Home Department been drawn to petitions—

(*i*) dated the 17th November, 1942, signed by about 200 security prisoners lodged in the Dum Dum Central Jail, complaining about the inordinate delay in letters (both outgoing and incoming) reaching the destination; and

(*ii*) dated the 4th February, 1943, by the questioner communicating to him some of the grievances regarding letters, family allowances, temporary release in case of serious illness of near relatives and pocket allowance of Rs.10 per month?

(*b*) Is the Hon'ble Minister aware that—

(*i*) letters which were reaching them in a month's time are now taking two months; and

(*ii*) there is a feeling among the security prisoners of the Dum Dum Central Jail that the revised Security Prisoners Rules as published in the press on the 13th September, 1942, are not acted upon?

(*c*) Has the attention of the Hon'ble Minister also been drawn to a petition by the security prisoners of the Dum Dum Central Jail demanding an increase of dietary allowance of Rs.2 per day instead of annas twelve on account of the progressively increasing prices of foodstuffs?

(*d*) If the answers to (*a*), (*b*) and (*c*) are in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, he has taken, or contemplates to take, for removing the aforesaid grievances of the security prisoners?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes.

(*b*) I have no correct information, but I am aware that there had been some occasions of undue delay in the matter of censoring security prisoners' correspondence due to the shortage of censoring staff. This shortage has since been made up, and I am satisfied that there is no undue delay now.

(*c*) Yes.

(*d*) I have since increased the number of censoring staff. The rate of security prisoners' diet allowance has also been increased to Rs 1-8 per head per day.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to inform us what was the number of the staff when this delay occurred and what is the number of the present staff?

Khan Bahadur MOHAMMED ALI: I want notice, but I may state that the staff has been adequately increased and there is no delay now.

Delay in delivery of letters of Mr. Haripada Chattopadhyay.

***33. Mr. HARIPADA CHATTOPADHYAY:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that—

(*i*) a letter written by Mr. Haripada Chattopadhyay, M.L.A., a security prisoner in the Alipore Central Jail, on the 5th December, 1942, to the then Hon'ble Minister S. K. Basu at Calcutta was received by the latter on the 5th January, 1943; and

(*ii*) that a reply sent by the Hon'ble Minister on the 11th January, 1943, was received by Mr. Chattopadhyay on the 6th February, 1943?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for the delay?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes.

(*b*) I regret that there was delay in the delivery of this letter for which I have been unable to find any special reason. Steps have already been taken to prevent such delay in future.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether this delay in censoring occurred during the regime of the present Ministry?

Khan Bahadur MOHAMMED ALI: This delay occurred during the regime of the last Ministry. After this Ministry came into office, adequate staff has been appointed so that there is no delay now.

Delay in the delivery of letters of security prisoners.

***34. Mr. NISHITHA NATH KUNDU:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state when a letter dated the 19th April, 1943, addressed by the questioner to the Deputy Secretary, Home Department, with a chart illustrating some 50 incoming and outgoing letters which were delayed in delivery and transmission to the addressees by the Jail and the different censoring authorities, reached the Deputy Secretary?

(*b*) Is it a fact that there were cases in the chart where the delay was more than two months?

(*c*) If so, is the Hon'ble Minister considering the desirability of holding an enquiry into the grievances of the security prisoners in regard to the delay in the delivery of their letters?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) On the 20th April, 1943.

(*b*) Yes

(*c*) On enquiry it is found that the delay originally occurred for want of sufficient censoring staff: the staff has since been increased and matters have improved.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to tell us when this increase in the staff was made?

Khan Bahadur MOHAMMED ALI: The increase in the staff was made immediately after this Ministry came into office

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to give us the date?

Khan Bahadur MOHAMMED ALI: I want notice.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state what steps did Government take in respect of my letter which was received by the Deputy Secretary on the 20th April?

Khan Bahadur MOHAMMED ALI: The letter written by the honourable member was dated the 19th April and the letter was received by the Deputy Secretary of the department on the 20th. That has been furnished in reply to question (*a*).

Mr. NISHITHA NATH KUNDU: What steps have been taken?

Khan Bahadur MOHAMMED ALI: I refer the honourable member to answer (*c*) where it is said that the staff has already been increased. Therefore there is no reason for any grievance.

Mr. NISHITHA NATH KUNDU: What are the steps that have been taken?

Khan Bahadur MOHAMMED ALI: Augmentation of staff so that there may be no delay in the despatch of letters.

Mr. NISHITHA NATH KUNDU: Do we understand that the staff everywhere—even in the mufassal districts—was adequate?

Khan Bahadur MOHAMMED ALI: Wherever there has been necessity for increasing the staff, that has been done. As I replied yesterday, the staff at Jalpaiguri was also increased to cope with the volume of correspondence of security prisoners.

Mr. NISHITHA NATH KUNDU: Is the Hon'ble Minister aware that even now after the increase of the staff delivery of letters is inordinately delayed? I give an instance. A letter which was written on 1st January, 1944, was delivered to the addressee on 29th January, 1944.

Khan Bahadur MOHAMMED ALI: I have no information about the specific instance cited, but the information of Government is that all correspondence of security prisoners is up to date and there is no unusual delay in despatch.

Mr. NISHITHA NATH KUNDU: In view of the information that has been given by me, does the Hon'ble Minister think it desirable to enquire whether such delay occurs even now, namely, delay in delivery of letters by one month?

Khan Bahadur MOHAMMED ALI: If the honourable member will put in a letter to the Hon'ble Chief Minister mentioning this specific instance, I am sure the Hon'ble Chief Minister will look into it.

Arrest, detention and transfer of Mr. E. W. Khan Yousufzai.

*35. **Mr. NIHARENDU DUTT-MAZUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether it is a fact that—

(*i*) Mr. E. W. Khan Yousufzai was arrested in Calcutta on or about the 29th May, 1943;

(*ii*) he was confined in the police lock-up for 40 days or more;

(*iii*) he was then sent to the Presidency Jail; and

(*iv*) he was subsequently transferred to Delhi?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) under what authority of law;

(*ii*) precisely under whose orders; and

(*iii*) on what grounds;

he was—

(1) put under arrest, and

(2) confined in police lock-up for such a long time?

(*c*) Is it a fact that—

(*i*) he was on hunger-strike in police lock-up for over 40 days until his transfer to the Presidency Jail;

(*ii*) he protested against his arrest as being thoroughly improper and produced necessary papers to prove his identity and employment; and

(*iii*) he was, in fact, an employee in the secret service of the Government of China with its Headquarters at Chungking?

(*d*) Will the Hon'ble Minister be pleased to state—

(*i*) what are the reasons for the transfers to Delhi of—

(1) Mr. Yousufzai, and

(2) several other prisoners from the Bengal jails;

(*ii*) how many prisoners arrested in Bengal have been transferred outside this Province stating—

(1) their names, and

(2) their present places of detention in each particular case;

(*iii*) whether Government have granted any family allowance to the wife of Mr. Yousufzai; and

(*iv*) whether—

(1) Mr. Yousufzai, and

(2) other prisoners, transferred to Delhi, have been kept in underground cellars or in ordinary jail barracks or cells?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes.

(*b*) Action was taken against Mr. Yousufzai under the provisions of Defence of India Rule 129.

(*c*) (*i*) No.

(*ii*), (*iii*) and (*d*) (*iv*) I have no information.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. The Parliamentary Secretary who is replying has again used the first person and

singular number. In this reply, Sir, I submit that he has no business to arrogate to himself the authority of the Hon'ble Minister. He will have to say that the Minister has no information. Please read the Secretariat Manual, otherwise we will have to function in our own way.

Mr. SPEAKER: Khan Bahadur, I think it will be desirable and better that you use that form.

Khan Bahadur MOHAMMED ALI: (*d*) (*i*) and (*ii*) Government are not prepared to furnish the names and particulars asked for in the public interest but to state that all these prisoners have since been retransferred to Bengal.

(*iii*) No petition with this object has been received so far

Dr. NALINAKSHA SANYAL: With reference to answer (*a*), will the Government be pleased to state if it is a fact that he was confined in the police lock-up for 40 days or more?

Khan Bahadur MOHAMMED ALI: I want notice

Dr. NALINAKSHA SANYAL: Sir, what is this? If a question which has been sent with a specific statement made therein cannot be properly dealt with by the Parliamentary Secretary, he should refrain from replying.

Mr. SPEAKER: It has been properly dealt with. If the Minister had said "I want notice", what could you have done?

Dr. NALINAKSHA SANYAL: If the Minister had said that, that would have been something. I submit——

Mr. SPEAKER: There should be no discussion

Dr. NALINAKSHA SANYAL: Sir, I submit that it is not fair to ask for notice when he has already got this notice for a very long time.

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order, Sir This question has been answered by Government. What is the use of asking further questions on it?

Dr. NALINAKSHA SANYAL: Because we want a reply to the question.

The Hon'ble Khwaja Sir NAZIMUDDIN: The question is "Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether it is a fact that—

(*a*) (*ii*) he was confined in the police lock-up for 40 days——"

Mr. SASANKA SEKHAR SANYAL: Sir, I rise on a point of order——

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I have already risen on a point of order.

Mr. SASANKA SEKHAR SANYAL: Sir, I am rising on a point of order on his point of order. My point of order is this——

Mr. SPEAKER: Sir Nazimuddin has already risen on a point of order.

Mr. SASANKA SEKHAR SANYAL: I am challenging his rising on a point of order.

The Hon'ble Khwaja Sir NAZIMUDDIN: I am also challenging that he is not entitled to rise on a point of order.

Mr. SPEAKER: Mr. Sanyal, will you kindly resume your seat? Let me understand the position. Sir Nazimuddin has risen on a point of order and you say that he has got no right to rise on it.

Mr. SASANKA SEKHAR SANYAL: Yes, Sir.

Mr. SPEAKER: But the rules specifically provide that any member can at any stage rise on a point of order. Now, he has risen on a point of order. Let me hear him first.

Mr. SASANKA SEKHAR SANYAL: That raises a constitutional question because Ministers and Parliamentary Secretaries cannot speak at cross-purposes.

Mr. SPEAKER: I cannot allow you to interrupt at this stage.

Mr. SASANKA SEKHAR SANYAL: I hope after he has answered you will hear me.

Mr. SPEAKER: Oh, yes

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order, Sir. The question here has been answered. The question was if Mr Yousufzai was confined in the police lock-up for 40 days or more and the reply was "yes".

Mr. SASANKA SEKHAR SANYAL: Here I rise on a point of order, Sir. Certain questions arise out of the recent answer.

Mr. SPEAKER: Just a minute. Sir Nazimuddin, what is your real point of order? Do you mean to say that the honourable member is not entitled to ask any more question?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the question has already been answered, and if the honourable member again puts a question the answer will be "I ask for notice". Then, what is the good of asking that question?

Mr. SPEAKER: I am sorry there is a confusion in this matter. Question (*a*) includes the entire thing to which the answer is "yes".

Dr. NALINAKSHA SANYAL: Why did you allow that answer?

Mr. SPEAKER: I would not have allowed it if my attention had been drawn to it.

Dr. NALINAKSHA SANYAL: I am very glad that your attention has been invited lafer on, but the attention of the Parliamentary Secretary could have been invited before.

Mr. SPEAKER: Are you discussing it?

Dr. NALINAKSHA SANYAL: No, Sir. I am putting a supplementary question.

Mr. SPEAKER: Will you resume your seat? Mr. Sanyal was already on a point of order. Yes, Mr. Sanyal.

Mr. SASANKA SEKHAR SANYAL: Sir, so far as Parliamentary Secretary is concerned, he has given an answer. You will be pleased to give a ruling as to whether an answer can be partitioned between the Chief Minister and the Parliamentary Secretary.

Mr. SPEAKER: Certainly not.

Mr. SASANKA SEKHAR SANYAL: In that case you will please give a ruling on the answer that has just been given by the Chief Minister. Dr. Sanyal asked a question and the Parliamentary Secretary gave a specific answer asking for notice, and then the Chief Minister repudiates the answer of the Parliamentary Secretary.

Mr. SPEAKER: The first part is no doubt a point of order but that point of order also did not strictly arise out of the present situation, because when Sir Nazimuddin stood up, he did not stand up to correct the Paliamentary Secretary. When he stood up, he stood up only as a member of the House on a point of order, viz., whether when an answer had already been given, the honourable member was in order to put the same question for answer again. That was the point of order raised by Sir Nazimuddin and if he had attempted to supplement the answer given by the Parliamentary Secretary or to negative the answer, certainly I would not have allowed him to do so.

Dr. NALINAKSHA SANYAL: Sir, the answer (*b*) (again I am inviting your attention, so that there may be no future misunderstanding) is an omnibus answer, viz., "action was taken against Mr. Yousufzai under the provisions of Defence of India Rule 129". There are two sections of the answer and several sub-sections.

Mr. SPEAKER: Please put your question.

Dr. NALINAKSHA SANYAL: My question is on what grounds was this prisoner confined in the police lock-up for such a long time? This is with reference to question (*b*) (*iii*).

Khan Bahadur MOHAMMED ALI: I have nothing to add to what has been stated in answer (*b*).

Dr. NALINAKSHA SANYAL: Sir, my question has not been answered.

Mr. SPEAKER: Order, order. It is an answer which is certainly not satisfactory, but if he answers in that way what can we do?

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister in charge be pleased to state which particular section or clause or sub-clause of the Defence of India Rule 129 has been invoked to detain the prisoner in the police lock-up for such a long time?

Khan Bahadur MOHAMMED ALI: I refer the honourable member to reply (*b*), viz., Defence of India Rule 129.

Dr. NALINAKSHA SANYAL: That is not the answer to my question.

Mr. SPEAKER: Khan Bahadur, that question Dr. Sanyal is entitled to ask. At first he said which particular section but subsequently he corrected it and said "under what clause" the prisoner was detained. He is entitled to have an answer.

Khan Bahadur MOHAMMED ALI: I want notice.

Mr. SPEAKER: Yes, that is a proper answer.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state which authority exercised the power under the Defence of India Rule 129 against Mr. Yousufzai?

Khan Bahadur MOHAMMED ALI: The Government of Bengal took action under the direction of the Government of India.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that this prisoner was ever on hunger-strike? This is with reference to answer (*c*).

Khan Bahadur MOHAMMED ALI: Where? In Bengal or elsewhere?

Dr. NALINAKSHA SANYAL: There is a specific question under (*c*), viz., if he was on hunger-strike in police lock-up for over 40 days until his transfer to the Presidency Jail. The answer is "No". I am now trying to split up and find out if this "No" refers to 40 days or Presidency Jail or hunger-strike at all. I am enquiring whether at any stage while in custody this prisoner went on hunger-strike.

Khan Bahadur MOHAMMED ALI: I want notice.

Dr. NALINAKSHA SANYAL: This clearly shows that the Parliamentary Secretary does not come prepared.

Mr. SPEAKER: You cannot criticise.

Dr. NALINAKSHA SANYAL: I submit to you for your consideration that the question be held over, because evidently the member in charge is not prepared with replies. The question is very specific.

Mr. SPEAKER: It is not for me to hold over a question to which the Government side is prepared to give answer. The answer may be to your satisfaction or it may not be to your satisfaction.

Dr. NALINAKSHA SANYAL: The question was sent long time ago to the department and if the department does not collect such materials which are specifically pointed out in the question itself and the member in charge comes to the House unprepared, it is a direct effrontery to the House.

Mr. SPEAKER: Order, order. You cannot criticise.

Dr. NALINAKSHA SANYAL: I am submitting to you, Sir.

Mr. SPEAKER: Order, please. I have understood you thoroughly and I have given my ruling.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister in a position to contradict the fact that this prisoner refused food while in police custody?

Khan Bahadur MOHAMMED ALI: I have no information. He might have refused food for a day or half a day.

Dr. NALINAKSHA SANYAL: With reference to answers (*c*) (*ii*), (*iii*) and (*d*) (*iv*), viz., I have no information, will the Hon'ble Minister be pleased to state what attempt was made by the Bengal Government to ascertain the facts stated in this question?

Khan Bahadur MOHAMMED ALI: No attempt was made to ascertain it because the prisoner after that was retransferred to Bengal.

Dr. NALINAKSHA SANYAL: May I enquire whether there was any petition of any character received from this prisoner?

Khan Bahadur MOHAMMED ALI: No petition asking for any allowance was received.

Mr. SPEAKER: He says "of any character".

Khan Bahadur MOHAMMED ALI: I want notice.

Release of Sj. Satyapriya Banerjee, M.L.A.

*38. **Sj. MANINDRA BHUSAN SINHA:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware of the fact that Sreejut Satyapriya Banerjee, M.L.A., is lying seriously ill and bed-ridden in the Dum Dum Central Jail?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the disease which he is suffering from and for what length of time?

(*c*) Will the Hon'ble Minister be pleased to state what medical arrangement has been made for his treatment in the jail?

(*d*) Is the Hon'ble Minister considering the desirability of laying on the Table a report about Mr. Banerjee's condition of health from the Superintendent and Medical Officer of the said jail?

(*e*) Is it a fact that the condition of his health has been the cause of alarm and anxiety to all concerned?

(*f*) Is the Hon'ble Minister aware—

(*i*) that the old mother of Mr. Banerjee was also lying seriously ill and desired to have her son by her side during her illness; and

(*ii*) that she has since died?

(*g*) Is the Hon'ble Minister considering the desirability of releasing him for the serious condition of his health?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) No.

(*b*), (*c*) and (*d*) Do not arise.

(*e*) No.

(*f*) (*i*) Yes.

(*ii*) She died at Rajshahi on the 10th February, 1943.

(*g*) Does not arise.

Mr. ATUL CHANDRA SEN: From answer (*a*) do I understand the Government to say that Mr. Satyapriya Banerjee was suffering from no illness?

Khan Bahadur MOHAMMED ALI: At the present moment he is not.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state when Mr. Satyapriya Banerjee was arrested and by which Government?

Khan Bahadur MOHAMMED ALI: He was arrested when the last Ministry was in office

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state when was the prayer made by the old mother of Mr Banerjee to have her son by her side during her illness?

Khan Bahadur MOHAMMED ALI: During the time of the last Ministry

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state by whom was the prayer rejected?

Khan Bahadur MOHAMMED ALI: The prayer was rejected by the last Ministry

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state what the present Government is doing with regard to the release of Mr. Satyapriya Banerjee?

Khan Bahadur MOHAMMED ALI: The last Ministry rejected the prayer of the old mother to allow Mr. S. P. Banerjee to go and see his ailing mother, but this Ministry has allowed Mr. Banerjee to go to Rajshahi to see his ailing wife.

Mr. ATUL KRISHNA GHOSE: I rise on a point of order——

Mr. SPEAKER: What is the point of order?

Mr. ATUL KRISHNA GHOSE; আমাদের পার্লামেন্টারী সেক্রেটারী মহাশয় আমাদের প্রশ্নের উত্তর না দিয়ে কতকগুলি অবান্তর কথা বোলছেন।

Khan Bahadur MOHAMMED ALI: The question put by him was what the present Ministry had done with regard to the release of Mr. Banerjee and I told him in reply that the present Ministry allowed Mr. Banerjee to go to Rajshahi——

Mr. SPEAKER: I must say that your answer was absolutely irrelevant. His question was what the present Government had done to release Mr. Banerjee.

Khan Bahadur MOHAMMED ALI: This question refers to his temporary release——

Rai HARENDRA NATH CHAUDHURI: No, no.

Mr. ATUL KRISHNA GHOSE: My question has not been replied.

Mr. SPEAKER: I cannot help you.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether Mr. Satyapriya Banerjee has been transferred to Central Jail so that he may have his interviews?

Khan Bahadur MOHAMMED ALI: Yes, that has been done by the present Ministry.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় মন্ত্রী মহাশয় কি বলবেন শ্রীযুক্ত সত্যপ্রিয় বন্দোপাধ্যায় তাঁর স্ত্রী পীড়িত থাকা অবস্থায় তাঁর সঙ্গে সাক্ষাৎকারের জন্য আবেদন কোরেছেন সে সম্বন্ধে কিছু বিবেচনা করা হয়েছে কি?

Mr. SPEAKER: That question has already been answered.

Babu NARENDRA NARAYAN CHAKRABARTY; মাননীয় মন্ত্রী মহাশয় অনুগ্রহ কারে আমাদের জানাবেন কি শ্রীযুক্ত সত্যপ্রিয় বন্দোপাধ্যায়কে স্ত্রীর সঙ্গে সাক্ষাৎকার করতে দেয়ার ব্যবস্থা করা হয়েছে কিনা?

Khan Bahadur MOHAMMED ALI: Yes, that has been done.

Political security prisoner Mr. Amiya Kumar Rai Chaudhury.

***37. Mr. KIRON SANKAR ROY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that Mr. Amiya Kumar Rai Chaudhury, Zemindar, Kirtipasha, a political security prisoner in Barisal District Jail, is suffering from serious heart and intestinal troubles?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what was his weight when he entered the jail;

(*ii*) what is his present weight;

(*iii*) whether any arrangements have been made for his treatment; and

(*iv*) whether the Government will allow him to be examined and treated by a doctor who used to treat him before his arrest?

(c) Is it a fact that the Superintendent of the Barisal Jail has so far refused to allow—

(i) food and fruits to be sent to him from his home; and

(ii) money to be deposited in the jail office in the name of Mr. A. K. Rai Chaudhury with which he may buy necessaries allowed by the jail rules?

(d) If the answer to (c) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, he proposes to take in the matter?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): Mr. Amiya Kumar Rai Chaudhury was released in September last.

Interviews of Security and Defence of India Rules prisoners.

*38. **Mr. NIHARENDU DUTTA-MAZUMDAR:** (a) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that—

(i) the interviews applied for either by the Security and Defence of India Rules prisoners or by their friends and relations are always delayed some time for a month or more;

(ii) the privileges of such interviews provided in the rules are curtailed;

(iii) Sj. Haridas Ghosh, Defence of India Rules prisoner in Presidency Jail, applied for an interview with his brother and children more than a month ago and issued two reminders thereto;

(iv) up till now neither any interview nor any reply has been granted or given to him;

(v) there are several other applications for interview by the Defence of India Rules and Security prisoners made considerably long time ago that have received the same fate; and

(vi) the fact of this grievance was brought to the notice of the Hon'ble Mr. S. K. Basu when he last visited the Presidency Jail?

(b) If the reply to (a) (vi) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, has been taken in the matter?

(c) Is the Hon'ble Minister aware of the fact that Defence of India Rules prisoner Sj. Probhat Kumar Sen, now in the Presidency Jail, applied on 23rd and 26th September last, for an immediate interview with his wife who is alone in her residence for making an early arrangement for her shifting to a place of safety but no steps have yet been taken?

(d) If the answer to (c) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, he proposes to take in the matter?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (a) (i) and (ii) No.

(iii) and (iv) My information is that the security prisoner applied for the interview on the 26th September, 1942, which was granted and held on the 10th October, 1942.

(*v*) and (*vi*) I have no information.

(*b*) and (*d*) Do not arise.

(*c*) My information is that the interview was permitted and it took place on the 4th October, 1942.

Alleged curtailment of certain privileges of security prisoners in the Midnapore Central Jail.

*39. **Mr. ISWAR CHANDRA MAL:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that up to the 14th November, 1942, all the security prisoners in the Midnapore Central Jail were enjoying the privileges of writing four letters to and receiving eight letters from friends and relations per week and two interviews per month?

(*b*) Will the Hon'ble Minister be pleased to state whether it is a fact that some privileges regarding letters and interviews have been curtailed in respect of a particular group of security prisoners arrested on or after the 8th August, 1942, except eight such prisoners in the Midnapore Central Jail?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons thereof?

(*d*) Is the Hon'ble Minister aware of any representation followed by repeated reminders from the security prisoners of the Midnapore Central Jail for the restoration of the privileges regarding letters and interviews?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any action has been taken by the Government in the matter?

(*f*) If the answer to (*e*) is in the negative, is the Hon'ble Minister considering the desirability of restoring the privileges regarding letters and interviews to the security prisoners referred to in (*b*)?

(*g*) Will the Hon'ble Minister be pleased to state whether any differential treatment as regards letters and interviews of the security prisoners is made in other jails.

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*), (*d*) and (*g*) Yes.

(*b*) Yes; but I have no information about the "exceptions" stated by the honourable member.

(*c*) The action was taken as a measure of security on account of the situation created by the widespread and serious campaign of violence and destruction then going on in the district of Midnapore.

(*e*) and (*f*) The privileges will be restored as soon as the situation in the district of Midnapore improves sufficiently.

I may announce that the Hon'ble Chief Minister has withdrawn all the restrictions imposed and that all the privileges enjoyed by the prisoner at the Midnapore Jail have been granted to them again.

Cyclone damages in Midnapore and 24-Parganas and relief measures.

***40. Dr. NALINAKSHA SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) the date or dates when parts of the Midnapore and 24-Parganas districts of Bengal were swept by an unprecedented cyclone;

(*ii*) the date and time when the news about the havoc created by the cyclone reached the District officials and the Bengal Government respectively;

(*iii*) the date and time when the information about the damage caused was allowed to be published in the Press; and

(*iv*) the dates when the first organised official relief reached different parts of the affected areas?

(*b*) Will the Hon'ble Minister be pleased to state whether Government have made any enquiry to ascertain how far the delay in releasing the information and to send organised relief was unavoidable?

(*c*) Will the Hon'ble Minister be pleased to lay on the Table a statement showing separately by thanas and subdivisions the approximate area and the total number of population affected by the cyclone?

(*d*) Is it a fact that—

(*i*) a certain local official had expressed the opinion that no relief should have been given to the sufferers for a certain period of time; and

(*ii*) for some time non-official relief parties were not allowed to go to the areas even for the distribution of relief?

(*e*) Will the Hon'ble Minister be pleased to state whether—

(*i*) any complaints have been made about the burning of houses and assaults on persons including women by or at the instigation of the local officials in the area, before and after the cyclone; and

(*ii*) any independent enquiry has been made into such complaints?

(*f*) Will the Hon'ble Minister be pleased to state—

(*i*) what, according to Government reports, are the extent of damages caused by the cyclone, specially in regard to the loss of life, human and animal, damage to houses, to agricultural land, industrial concerns, etc.;

(*ii*) what are the relief measures adopted by Government so far; and

(*iii*) what are the total and *per capita* relief, gratuitous and otherwise separately, given by Government up to the latest date for which figures are available.

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Tarak Nath Mukerjea): (*a*) (*i*) 16th and 17th October, 1942.

(*ii*) The dates are as follows:—

	District Officers.	Government.
Midnapore ..	From Sadar—18th October, 1942 morning. From Tamluk—19th October, 1942. From Contai—23rd October, 1942. Although sent by Subdivisional Officer on 17th October, 1942. From Ghatal—20th October, 1942.	Afternoon of 19th October, 1942.
24-Parganas ..	19th October, 1942 morning ..	Ditto.

(*iii*) The news was first published in a press note, dated the 2nd November, 1942.

(*iv*) Midnapore—21st October, 1942.
24-Parganas—20th October, 1942.

(*b*) There was no avoidable delay.

(*c*) A statement is laid on the Table.

(*d*) (*i*) Government are not prepared to discuss on the floor of the House any confidential correspondence that may have passed between the District Officer and Government. As a matter of fact gratuitous relief on a small scale was started at several thanas and other convenient centres in the cyclone-affected areas immediately after the cyclone.

(*ii*) No.

(*e*) This is a matter which concerns the Home Department.

(*f*) (*i*)

Heads.	Midnapore.	24-Parganas.
Loss of life ..	14,355	1,390
Loss of cattle ..	186,582	23,743
Damage to houses ..	422,956	25,201
Damage to crops ..	Crops worth about 11 crores of rupees damaged.	Crops worth about Rs.83 lakhs damaged.
Industrial concern ..	Most of the rice mills in Sadar and Tamluk.	

(*ii*) Distribution of—

(1) Gratuitous relief in cash and kind.

(2) Distribution of agricultural loans for house-building, agricultural operations, subsistence, etc.

(3) Test relief work.

(4) Sinking of tube-wells, excavation of tanks, construction of reservoirs for water-supply in the affected areas.

(5) Sanitary measures for preventing epidemics and other medical relief.

(*iii*) A statement with regard to expenditure in cash and kind up to the 31st August, 1943, is laid on the Table. *Per capita* relief cannot be readily worked out.

Statement referred to in reply to clause (c) of starred question No. 40.

Name of subdivision and thanas.	Area in square miles.	Population affected.
Diamond Harbour (24-Parganas).		
Sagore police-station	50	41,990
Kakdwip police-station	60	50,616
Kulpi police-station	10	5,235
Total ..	120	97,841
Midnapore (Tamluk).		
Tamluk police-station	107	33,168
Panskura police-station	155	47,662
Moyna police-station	54	18,024
Mahisadal police-station	125	58,763
Nandigram police-station	191	68,876
Sutahata police-station	127	40,804
Total ..	759	267,297
Sadar (South).		
Kharagpur police-station	227	172,536
Narayangarh police-station, Keshiary police-station	309	113,066
Dantan police-station .., Mohanpur police-station	225	122,756
Sabong police-station .., Pingla police-station	207	119,317
Total ..	968	527,675
Contai.		
Contai police-station	227	201,511
Ramnagar police-station	117	108,883
Khedgree police-station	142	92,026
Bhagwanpur police-station	162	131,941
Patashpur police-station	138	105,700
Egra police-station	125	116,024
Total ..	911	756,085

Name of subdivision and thanas.	Area in square miles.	Population affected.
Ghatal.		
Daspur police-station	128	118,379
Ghatal police-station	90	75,799
Chandrakona police-station	151	79,130
Total ..	369	273,308
Sadar (North).		
Midnapore police-station	130	89,950
Salboni police-station	213	62,359
Debra police-station	132	64,482
Keshpur	186	81,146
Garbetta police-station	408	134,903
Total ..	1,069	432,840
Grand Total ..	4,196	2,257,205

Statement referred to in reply to clause f(iii) of starred question No. 40.

District.	Head of relief.	Expenditure up to 31-8-43. Rs.
Midnapore ..	1. Gratuitous relief—	
	(a) In cash	about 38 lakhs.
	(b) In kind .. .	about 72 ,,
	2. Agricultural loan—	
	(a) Ordinary agricultural loans	Over 69 ,,
	(b) Seed loans ..	About 15 ,,
	(c) Loans to Jotedars and Talukdars ..	About 3 ,,
	(d) Business loans ..	About 1¼ ,,
	(e) Land Improvement loan ..	25,000
	3. Test relief	About 65 lakhs.
	4. Relief to weavers	Over 50,000
24-Parganas (Diamond Harbour). ..	1. Gratuitous relief—	
	(a) In cash	1,293
	(b) In kind—	
	(i) Rice	42,395 mds.
	(ii) Paddy	14,301 ,,
	(iii) Cloth	6,181 pairs.
	Frocks	104 dozen.
	Merjai	581 pieces.
	Hessian	10,000 yds.
	Barley	100 mds. and 500 tins.
	Sati	2 mds. and 23 tins.
	Sago	1 md. and 13 tins.

District.	Head of relief.	Expenditure up to 31-8-43.
		Rs.
	2. Agricultural loans ..	5,10,000
	3. Seed loans	14,469
	4. Business loans	80,000
	5. Test relief—	
	Ordinary test relief	2,400
	Embankment repairs ..	Over 3 lakhs.
	6. Relief to weavers	252

Dr. NALINAKSHA SANYAL: With reference to answer (*c*) which is summarily dealt with——

Mr. SPEAKER: Because it is a matter which concerns the Home Department.

Dr. NALINAKSHA SANYAL: What attempts have been made by the department concerned to obtain relevant information and incorporate that in the answer?

The Hon'ble Mr. TARAK NATH MUKERJEA: I submit that it is for the honourable member to put a separate question to the Home Department.

Dr. NALINAKSHA SANYAL: I also submit that it is not possible when 2 or 3 departments are involved to split the question in that way, particularly when it relates to one matter of this character.

Mr. SPEAKER: I have myself felt this difficulty and that is one of the subjects which will form the subject matter of discussion at the Leaders' Conference. Until that is done you have got to be satisfied with the present position.

Mr. SASANKA SEKHAR SANYAL: What is the difficulty in getting the information from another department?

Mr. SPEAKER: The difficulty is that the rules say that you can ask a question of a Minister with regard to affairs in his charge. There is some difficulty with regard to that. The rules have got to be amended.

Dr. NALINAKSHA SANYAL: With regard to cyclone relief and consequential arrangements at Midnapore, it was the Revenue Department that was generally looking after the entire work although so far as police work and other matters were concerned, they were being looked after by other departments.

Mr. SPEAKER: I can quite appreciate your point but after all this is a mere discussion on the answer given which is not permissible.

Mr. SASANKA SEKHAR SANYAL: But we look up to you for our questions being properly answered.

Mr. SPEAKER: This difficulty has been felt by me and my office for some time past, and that is one of the reasons why I have called the Leaders' Conference. I hope this matter will be settled in course of the present session.

Dr. NALINAKSHA SANYAL: In that case I do not want to pursue the question.

Sea-dyke and embankment repair works of the Contai and Tamluk subdivisions.

***41. Dr. GOBINDA CHANDRA BHAUMICK:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether the sea-dyke and embankment repair works of the Contai and Tamluk subdivisions were done by the Subdivisional Officer, Tamluk and Contai, under his personal supervision?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the names of the contractors who did it?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) whether the works were distributed by the Subdivisional Officer, Tamluk and Contai;

(*ii*) the amount of money that was spent for the purpose; and

(*iii*) the amount of works allotted to each contractor?

(*d*) Is it a fact that all the contractors were Muslims from outside the district?

Mr. ATUL CHANDRA KUMAR (on behalf of the Hon'ble Mr. Barada Prosanna Pain): (*a*) The sea-dyke and other embankment repair works in the Contai subdivision have almost wholly been done under the personal supervision of the Executive Engineers, Special Repairs Division, and Cossye Division. Only a very small portion of the work was done, at the beginning, under the personal supervision of the Civil Subdivisional Officer, Contai.

The embankment repair works in the Tamluk subdivision have almost wholly been done under the personal supervision of the Civil Subdivisional Officer, Tamluk. A very small portion of the work was done under the supervision of the Executive Engineer, Special Repairs Division.

(*b*) Statements A, B and C are laid on the Table.

(*c*)(*i*) The works were distributed by the officers mentioned in my reply to (*a*).

(*ii*) and (*iii*) The particulars are not yet available as full payment has not been made.

(*d*) No.

Statements referred to in clause (b) of starred question No. 41.

STATEMENT (A).

Contai Subdivision.

I—Kalinagar Hussia Embankment No. 45.		Approximate value of work allotted.
		Rs.
1.	Messrs. Deb Chattarjee & Co.	36,000
2.	Messrs. Mondal Naskar & Co.	35,000
3.	Kedar Nath Guria	36,000
4.	Judhisthir Charan Sahu	14,000
5.	Bhutnath Jana	7,000
6.	Protap Chandra Batayal	4,900

Shamchak Embankment No. 40.

		Rs.
1.	Abdul Majid Khan	15,000
2.	Mohammad Ali Khan	9,000
3.	Alauddin Mohammad	8,000
4.	Abdul Ali Khan	5,000
		37,000

Sea-dyke Embankment No. 39.

1.	Abdul Majid Khan	45,000
2.	Mohammad Ali Khan	4,000
3.	Provat Chandra De	22,000
4	Rabindra Nath Singha and Benimadhab Samanta	24,000
5.	Pulin Behari Shee	12,000
6.	Panchanan Jana	9,000
7.	Purandar Jana	17,000
8.	I. B. Banerjee	10,000
9.	Makhan Lal Mukherjee	9,000
10.	S. K. Khadem Ali	8,000
11.	A. Ahmad & Co.	13,000
12.	Messrs. Salam Bhai & Sons	19,000
13.	Messrs. National Engineering & Co.	17,000
14.	Messrs. S. Bhattacherjee & Co.	26,000
15.	Messrs. Sajad Ali	20,000
16.	Messrs. Iqbal & Co.	18,000
17.	Messrs. Model Engineering Works	9,000
18.	Messrs. N. N. Sen & Co.	7,000
19.	Messrs. Mondal Naskar & Co.	8,000
20.	Messrs. Swastika Engineering & Co.	8,000
21.	Kulada Charan Das	5,000
22.	Ghose Nandi & Co.	14,000

		Approximate value of work allotted.
		Rs.
23.	Munshi Ahmed Ali	8,000
24.	Messrs. M. Rahman & Co.	18,000
25.	Messrs. Ghani Frieds & Co.	13,000
26.	Messrs. Choudary & Co.	12,000
27.	K. N. Kader	14,000
28.	Ramani Kanta Dey	6,000
29.	Messrs. Din & Co.	15,000
30.	Mozaffar Ali Khan	2,000
31.	Messrs. Huq Ghose & Co.	3,000
32.	Ranga Lal Singha and Jatindra Nath Jana	4,000
33.	Dolgobinda Das	4,000
34.	Ranajit Kumar Hazra	3,500
35.	Expert Engineering Corporation	7,500
	..	4,31,000

STATEMENT (B).

COSSYE DIVISION.

Contai Subdivision.

		Approximate value of work allotted.
	I—Khedgree Embankment.	Rs.
1.	Babu Khirode Mondal	15,800
2.	Babu Kedar Nath Guria	8,000
3.	Babu Bhut Nath Jana	8,000
4.	Babu B. K. Ghose	5,600
5.	Messrs. Deb Chatterjee & Co.	3,200
6.	Babu Bagambar Mohapatra	10,300
7.	Babu Judhisthir Shahoo	8,300
	II—Garhar Hussia Embankment.	
1.	Babu Kedar Nath Guria and Degambar Prodhan ..	10,300
2.	Babu Bhutnath Jana	11,500
3.	Babu Judhisthir Sahoo	11,400
	III—Kalinagar Schedule D Embankment No. 50.	
1.	Babu Kedar Nath Guria	3,400
	IV—Kalinagar Schedule D Embankment No. 45.	
1.	Babu Kedar Nath Guria	17,700
2.	Babu Kunja Behari Jana	2,800

V—Jallamutha Schedule D Embankment (Portion within Contai subdivision.)		Approximate value of work allotted.
		Rs.
1.	Messrs. Samanta Prodhan Firm	3,000
2.	Babu Abhey Charan Das	2,200
3.	Babu Kedar Nath Guria	2,000
4.	Bam Deb Maity	800
5.	Babu Ramchan Naik	2,000
6.	Babu Hrikesh Maity	2,000
7.	Babu B. K. Ghose	800
8.	Messrs. Deb Chattarjee & Co.	1,200

VI—Udbadal Circuit (Schedule D, No. 48).

1.	Babu Kedar Nath Guria	1,200
2.	Babu Kunja Behari Jana	450
3.	Dhananjoy Giri	1,100

VII—Udbadal Circuit No. II (Schedule D, No. 49).

1.	Babu Kunja Behari Jana	1,100
2.	Babu Kedar Nath Guria	1,900
3.	Babu Dhananjoy Giri	1,700

VIII—Amarshi Takavi Embankment No. 31 H. 17.

1.	Messrs. Samanta Prodhan Firm	3,500
2.	Babu Bamdeb Maity	500
3.	Babu Abhoy Charan Das	3,300
4.	Messrs. Deb Chatterjee & Co.	3,800
5.	Babu Rakhal Chandra Hazra	6,800
6.	Babu Ram Chand Naik	100
7.	Babu Kedar Nath Guria	500
8.	Messrs. Swastika Engineering Co.	2,250

IX—Shelimabad Embankment No. 30 H. No. 16.

1.	Maulvi A. Ahmed	4,000
2.	Babu Rakhal Chandra Hazra	2,500

STATEMENT (C).

Statement showing the names of contractors employed by the Civil Subdivisional Officer, Tamluk.

I—Rupnarayan Right Embankment No. 9.	Approximate value of work allotted.
Panskura Subdivision.	Rs.
1. Khan Bahadur Maulvi Alfazuddin Ahmed, M.L.A. ..	29,990
2. Maulvi Khatir Mohammad	644
3. Babu Sarat Chandra Chakravarty	18,458
4. Babu Guru Prossana Chakraverty, L.B.	900
Rupnarayan Right Embankment No. 9 (Etamogra subdivision).	
1. Babu K. C. Dey, and Maulvi Fazlur Rahman	15,600
Doro Embankment (Schedule D, No. 53).	
1. Babu K. C. Dey and Maulvi Fazlur Rahman	11,000
2. Maulvi Serajuddin Mollah	9,550
3. Maulvi Azizur Rahman	13,000
4. Maulvi Keramat Ali and Maulvi Omar Ali Khan ..	21,000
5. Maulvi Alfazuddin	18,800
6. Babu Srepati Charan Bera	4,250
Jalpai Embankment (Schedule D, No. 53).	
1. Babu Srepati Charan Bera	850
2. Maulvi Golam Majid	4,675
Gumgarh Embankment No. 45.	
1. Keramat Khan	18,288
2. Syed Osman Ali	30,537
3. Md. Sk. Asiruddin	63,430

Mr. ATUL CHANDRA SEN: With reference to answer (*b*), will the Hon'ble Minister be pleased to give the names of the contractors and the districts from where they came?

Mr. ATUL CHANDRA KUMAR: The names have been supplied and they are laid on the Table.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state when these contracts were distributed?

Mr. ATUL CHANDRA KUMAR: These contracts were distributed in the year 1942, November or December.

Dr. NALINAKSHA SANYAL: Is it a fact, with reference to the answers contained in Statement (C), that the contractors' names and lists shown therein include a number of contractors who never did any work in that area before?

Mr. ATUL CHANDRA KUMAR: No. They are all registered contractors and are, in the opinion of the local officers, quite efficient for the work.

Dr. NALINAKSHA SANYAL: Sir, my question was specific as to whether there were——

Mr. SPEAKER: He has said "No".

Dr. NALINAKSHA SANYAL: My question is, whether there are any members in this list who were not contractors employed for similar work in a similar area.

Mr. SPEAKER: Now you have altered your question slightly.

Dr. NALINAKSHA SANYAL: Yes, Sir, because he would not otherwise understand.

Mr. ATUL CHANDRA KUMAR: I am sorry, the honourable member has not followed my answer.

Mr. SPEAKER: Mr. Kumar, are you prepared to answer that question?

Mr. ATUL CHANDRA KUMAR: It is very difficult to answer such a question. I think the contractors were considered to be efficient by the local officers.

Mr. SPEAKER: Why don't you say that you want notice?

Mr. ATUL CHANDRA KUMAR: If notice is given, Government will look into the matter.

Dr. GOBINDA CHANDRA BHOWMIK: তমলুক সাবডিভিসনে যে সব কণ্ট্রাকটর কাজ করছেন তারা কখনো কি P. W. D.র কাজ করেছেন! এবং পার্লামেন্টারী সেক্রেটারী বলবেন কি ডিষ্ট্রীকটের বাইরেকার কতজন মুসলমানকে এনে কাজ দেয়া হয়েছে!

Mr. ATUL CHANDRA KUMAR: সভ্য মহাশয় যখন contractorদের নাম সম্বন্ধে প্রশ্ন দিয়েছিলেন সেই সঙ্গে যদি তাদের ঠিকানাও চাইতেন তাহলে ভাল করতেন। এখন এ প্রশ্নের উত্তর আমি দিতে পারি না।

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state if it is a fact that most of the contractors were nominated by the then Minister in charge of the Communications and Works Department?

Mr. ATUL CHANDRA KUMAR: Government is not aware of that.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if the contractors were all outsiders and not residents of Midnapore?

Mr. ATUL CHANDRA KUMAR: I do not know any of the contractors and therefore it is not possible for me to say whether they were outsiders or residents of Midnapore.

Dr. NALINAKSHA SANYAL: Sir, I would invite the attention of the Hon'ble Minister in charge to question (*d*) where specifically it was asked: "Is it a fact that all the contractors were Muslims from outside the district?"

Mr. SPEAKER: The answer is "No".

Dr. NALINAKSHA SANYAL: Sir, from the question and the answer given thereto it appears that all were not outsiders, but I want to know how many of these were outsiders.

Mr. SPEAKER: The question does show that the only answer that could possibly be given was "No".

Dr. NALINAKSHA SANYAL: That is why I am clarifying it, whether the Minister in charge has taken advantage of the bad wordings of the question, and whether there were any contractors from outside the district who were given this work.

Mr. ATUL CHANDRA KUMAR: Government want notice.

Regarding financial position of Calcutta Corporation.

*42. **Mr. C. W. MILES:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(a) whether he has received the report of the Special Officer appointed to enquire into the financial position of the Calcutta Corporation;

(b) if so, what are the main recommendations of the Special Officer; and

(c) what action the Government propose to take upon the recommendations of the Special Officer?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): (a) Yes.

(b) The report has been published in full.

(c) The recommendations are under examination.

Mr. A. F. STARK: Will the Hon'ble Minister be pleased to state what stage the examination has reached of the recommendations?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: The Corporation has been addressed on several recommendations for their comments and views, and their replies have not yet been received.

Dr. NALINAKSHA SANYAL: With reference to the publication of the report in full, may I enquire when and where it was published and whether it is available for sale in the Bengal Secretariat Book Depôt?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: It is at present available for sale, I believe.

Dr. NALINAKSHA SANYAL: I want to know when and where it was published?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: It was published long ago and it was made available to the public three or four months before. Thereafter the copies available for sale ran short but now the report is again available for sale, I understand.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that complaints had been made by members of the Select Committee on the Calcutta Municipal (Amendment) Bill that this report was not available in any of the Government Book Depôts?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: A complaint was made on one day during the sittings of the Select Committee and it was held out that it would be made available two or three days after; and thereafter no further complaint was made.

Scheduled Castes representation in Union Boards in Sadar subdivision of Burdwan district.

***43. Mr. ADWAITA KUMAR MAJI:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state the total population of the Sadar subdivision, Burdwan, as shown in the last Census Report, showing separately the number of—

(1) Muslims,
(2) Scheduled Castes, and
(3) Caste Hindus?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) the number of union boards in the Sadar subdivision, Burdwan; and
(*ii*) the number of—

(1) Scheduled Castes,
(2) Muslims, and
(3) Caste Hindus,

nominated in those bodies?

(*c*) If no member from the Scheduled Caste has been nominated, will the Hon'ble Minister be pleased to state the reasons thereof?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: (*a*)(1) 141,567.

(2) 179,224.

(3) The number of Caste Hindus has not been separately reported but they have been included in the following figures, *viz.*:—

(*i*) "Castes not returned"—113,493.
(*ii*) "Other Hindus"—234,637.

(*b*)(*i*) 94.

(*ii*)—

(1) 33.
(2) 89.
(3) 148.

(*c*) Does not arise.

Babu MADHUSUDHAN SARKAR: With reference to (*b*) where it is stated that the Sadar subdivision has 94 union boards but only 33 Scheduled Caste members were nominated, will the Hon'ble Minister be pleased to state if the rest of the union boards have got any representatives from the Scheduled Castes by election other than the 33 members nominated?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I am not aware of it.

Srijut NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to explain the reason why the Scheduled Castes who number 179,000 got only 33 nominated by the Government while the Muhammadans who number 141,000 got 89 nominated to the union boards? Why this discrimination?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: The honourable member is referred to the fact that union board nominations are not made directly by the Government but they are made by the District Magistrate and are not sent to Government.

Mr. NISHITHA NATH KUNDU: Does the Hon'ble Minister consider it desirable to look into the matter if there has been any discrimination in nomination given by the District Magistrate?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I am not aware of any discrimination but I understand that there is a general rule laid down for bringing into union boards members representing the different communities.

Babu MADHUSUDHAN SARKAR: Will the Hon'ble Minister be pleased to state whether the District Magistrate considered the case of the Scheduled Castes at the time of nominations of those union boards?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I believe the District Magistrate certainly considered the proportion of different communities in giving nomination.

Babu MADHUSUDHAN SARKAR: Will the Hon'ble Minister be pleased to state the reasons why only 33 nominations were made from the Scheduled Castes and for the rest of the union boards no nominations were made from them?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I cannot tell you the reasons because I have not got any report on that.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state if it will be correct to say that the number of nomination of a particular community is dependent on the success or failure of the particular community in the matter of election?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: It is also one of the factors for consideration.

Maulvi AHMED ALI MRIDHA: In view of the answer just now given by the Hon'ble Minister, will he be pleased to state if he takes the responsibility also of whatever is done by the District Magistrate in the matter of nomination?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: As regards policy, certainly Government dictates it and Government takes the responsibility, but with regard to nomination itself the District Magistrate's decision is final.

Abolition of local boards in Khulna.

*44. **Mr. PATIRAM ROY:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether the local boards of the district of Khulna have been totally abolished?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) when the next direct election to the Khulna District Board will take place; and

(*ii*) when delimitation of new constituencies will be taken up in the said district?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: (*a*) Yes.

(*b*)(*i*) Steps are being taken to hold the election in April next.

(*ii*) The constituencies have been delimited by Government and published in the *Calcutta Gazette* under Notification No. 772C/L.S.-G., dated the 18th September, 1943.

Mr. P. BANERJI: Will the Hon'ble Minister be pleased to state whether any instruction was given by the Government to local officers in connection with the delimitation of these constituencies?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: With regard to delimitation, there is a statutory rule and the local authorities have followed the rule. I am not aware of any specific instruction given by the Government.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether Khulna is the only district where local boards are being abolished by the present Government?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: In most of the districts local boards have been abolished.

Mr. SASANKA SEKHAR SANYAL: With your permission may I put one specific question because it concerns my district of Murshidabad, although strictly it will not be relevant?

Mr. SPEAKER: I cannot allow you to put a supplementary question which you yourself say is not relevant.

Mr. SASANKA SEKHAR SANYAL: All right, I am making it a general one. Will the Hon'ble Minister be pleased to state the Government policy with regard to the question of abolition of local boards, particularly with reference to Murshidabad district?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: The policy of the Government is to abolish local boards where the district has been covered by union boards. It was adopted long before the present Government came in and it is being carried out. With regard to Murshidabad local board, the question is under consideration.

Mr. P. BANERJI: Will the Hon'ble Minister be pleased to state on what basis the constituencies have been delimited.

Mr. SPEAKER: This has been answered already—according to statutory rules.

Mr. P. BANERJI: Will the Hon'ble Minister be pleased to state if it was on the basis of population or voting strength or any other basis?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: The honourable member is referred to the proper section of the Local Self-Government Amendment Act.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether the opinions of the members of the Legislature were taken before determining the delimitation of constituencies in the district of Khulna?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: Yes, as a general rule members are consulted by Government.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state if there was any difference of opinion with regard to the formation of delimitation of constituencies?

Mr. SPEAKER: That is a question of detail.

Mr. ATUL KRISHNA GHOSE: Sir, it is an essential question. If there is any difference of opinion what steps Government will take that I would like to know.

Mr. SPEAKER: Khan Bahadur, are you prepared to answer this?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I am not prepared to answer.

Mr. ATUL KRISHNA GHOSE: In case of any difference of opinion between the members of the Legislature of a particular district and the District Magistrate, will the Hon'ble Minister be pleased to state whether Government will take any interest whatsoever to make a just and fair allotment with regard to delimitation?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I do not understand the reason of this question. Government always decides between conflicting interests and Government takes responsibility. I myself do it and I have done it.

Dr. NALINAKSHA SANYAL: As you have done in the case of Jiaganj nomination!

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state what step Government has taken with regard to the District Board of Jessore where there is a difference of opinion with regard to the formation of delimitation?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state if any case has been brought before Government in regard to a difference of opinion with regard to delimitation between the members of the Legislature of a particular district and the District Magistrate?

Mr. SPEAKER: That question also cannot be allowed under the present question. There is a specific question here relating to the Khulna District Board.

Mr. ATUL KRISHNA GHOSE: Sir, I would like to draw your attention to the fact that the Hon'ble Minister has just before this given the reply that Government is taking interest and is making a decision when differences are arising between the district authorities and the members of the Legislature of a particular district.

Mr. SPEAKER: If I allow questions like that, then the whole world can be brought in under this particular question.

Mr. ATUL KRISHNA GHOSE: In that case, Sir, the Hon'ble Minister may refuse to give any answer.

Mr. SPEAKER: Order, please. There should not be any discussion. You have got to put a specific supplementary question.

Rai HARENDRA NATH CHAUDHURI: With reference to answer (*b*)(*ii*), will the Hon'ble Minister be pleased to state whether in delimiting the constituencies the District Board was consulted or not?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I think the district board was consulted.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether any scheme was put forward by the District Board and if that scheme was approved by the Government or whether a different scheme was approved by the Government?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I am not in a position to tell that.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether it is a fact that in this matter there was considerable difference of opinion between the District Board and the then District Magistrate?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I am not in a position to tell that also.

Mr. P. BANERJI: May I know whether communal consideration was taken into account in the matter of delimitation?

Mr. SPEAKER: Communal consideration is there in the rule itself. Do you mean to ask whether delimitation has taken into consideration the respective strength of the two communities?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: In the section itself the matter is required to be considered.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Disposal of dead bodies lying in Calcutta and mofassal towns.

16. Mr. PRATUL CHANDRA GANGULI: (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state if it is a fact that corpses are lying in the streets of—

(*i*) Calcutta; and

(*ii*) in mofassal towns, villages, *hats* and bazars?

(*b*) If so, will the Hon'ble Minister be pleased to state the arrangements, if any, that have been made to dispose of the corpses?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes, at the time when the question was asked, in Calcutta and some mufassal areas.

(*b*) A copy of Commissioner of Police's order for the removal of corpses in Calcutta as published in the *Calcutta Police Gazette*, dated the 2nd September, 1943, and a statement showing the arrangements made for the disposal of corpses in the districts are laid on the Table.

Copy of Commissioner of Police's order referred to in clause (b) of unstarred question No. 16.

Extract from "Calcutta Police Gazette", dated the 2nd September, 1943.

4476. In supersession of all previous orders published in the *Calcutta Police Gazette*, paragraphs 3708, 3803 and 4065, dated the 30th July, 4th August, and 14th August, 1943, respectively, the following consolidated orders are passed:—

Orders for the removal of corpses and collapsed persons.

1. If the local Police get information of the whereabouts of a dead body, first they shall ring up Lall Bazar and ask for a Corpse Disposal Van to be

sent to the local police-station. The information will be recorded in the General Diary and a Sub-Inspector and Assistant Sub-Inspector or a Literate Constable, whoever is available, will proceed at once to the spot with challans and labels for despatching the dead body to the morgue.

2. On receipt of the Information Inspector, Headquarters, who will be in charge of the Corpse Disposal Van and Staff, will send out a van with the driver and two domes to the local police-station concerned. On arrival at the local police-station a constable will be sent as a guide with the van to the place where the dead body is lying. The body will be taken to the morgue and the van will return to Headquarters.

3. The Officer, who goes to the spot on receipt of information, will fill up in triplicate a challan in the following form. He will also fill up a label prescribed for A.P.P. casualties (every police-station has got a generous supply of these forms) and attach it with a string to the neck of the body. (Unless this is done there is great risk of wrong disposal of dead bodies in the morgue where large number of bodies are taken nowadays.)

Challan for sending (pauper) dead bodies to morgue.

(1) Police Station .....

(2) Date..... Time.....

(3) Name of the deceased, if ascertained.....

(4) Male/Female.....

(5) Probable age.....

5(*a*) Hindu or Mohammedan. .....

(6) Marks of identification, if any. .....

(7) Probable cause of death .....

(8) Where found. .....

(9) Name/Number of the Constable (or Police Officer) taking the body to morgue .....

Signature of the Officer filling up the Form

Signature of the Officer who receives the dead body.

N.B.—(1) Disposal order in form No. 4279 will follow.

(2) This form is to be used in cases in which no post-mortem is to held.

4. If the Telephone Sergeant gets any information of the whereabouts of a dead body he will first inform the Inspector, Headquarters, to send out a van and then inform the local police-station of his information.

5. If the local Police Officer who goes to the spot first finds that the Corpse Disposal Van from Lall Bazar is not likely to arrive very soon he shall make arrangements to have the dead body removed with the help of private domes. If such domes are not quickly available he will have the dead body removed to a side lane or to any other place away from the public view and then arrange for the removal of the body either to the morgue or to the

cremation ground direct. (I am informed local assistance is voluntarily available for this purpose.)

6. After the removal of the body to the morgue the Officer on return to the police-station will inform the Hindu Satkar Samiti or the Mufidul Islam as the case may be and will make out a disposal order on Form No. 4279 and send it to the morgue.

7. The Hindu Satkar Samiti or the Mufidul Islam as the case may be will take the body from the morgue according to their convenience. In cases where they refuse to remove the body from the morgue the dead body will be removed from the morgue by the Corpse Disposal Vans at appointed hours of the day.

Collapsed Cases.

8. A Police Officer receiving information that any person has collapsed in the street and is requiring medical attention should phone up the nearest A.R.P. Centre. All Officers on duty should keep a list of these telephone numbers in their pocket books for ready reference. The A.R.P. Report Centre will make arrangements to send an ambulance with a doctor.

9. If any collapsed person dies during transit to hospital and the Ambulance Van brings the dead body to any police-station within whose jurisdiction the person was picked up the Officer-in-charge shall as usual make out challans for the removal of pauper dead bodies to the morgue and a neck label and shall send a constable with the Ambulance Van to deposit the dead body in the morgue. Then the usual procedure for the disposal of corpses from the morgue will be followed.

Statement referred to in reply to clause (b) of unstarred question No. 16 showing the arrangements made for the disposal of corpses in the districts.

Serial No.	Name of district.	Whether dead bodies found.	How disposed of.	Remarks.
1	24-Parganas ..	Yes ..	By municipalities, the public and rural police.	
2	Nadia ..	No ..	No.	
3	Jessore ..	Yes ..	By municipalities, union boards, local people and zamindars.	
4	Khulna ..	No ..	No.	
5	Murshidabad ..	No ..	No.	
6	B. & A. Railway, Sealdah.	..	....	If found in the railway premises, immediate action is taken by the Railway Police for disposal.
7	E. I. Railway, Howrah.	..	....	If found, disposed of by domes.

Serial No.	Name of district.	Whether dead bodies found.	How disposed of.	Remarks.
8	Hooghly ..	No ..	No.	
9	Howrah ..	Yes ..	By municipalities, local organisations and union boards.	
10	Midnapore ..	Yes ..	By the police, municipalities, union boards and other local organisation.	
11	Burdwan ..	Yes ..	By the municipalities ..	In Burdwan and Asansol town only.
12	Bankura .	Yes (only one case).	By the police with the help of sweepers.	Was not disposed of owing to troubles with the sweepers.
13	Birbhum ..	Yes ..	By the municipalities, union boards and local organisations.	
14	Dacca ..	Yes ..	Ditto.	
15	Mymensingh ..	Yes ..	Ditto.	
16	Faridpur ..	Yes .	By the municipalities and the local organisations.	In Faridpur town only.
17	Tippera ..	Yes ..	By the members of the community they belonged to.	In town and big bazars only.
18	Chittagong ..	Yes ..	By the police, municipalities and local organisation.	
19	Noakhali ..	No ..	No.	
20	Bakarganj	Yes ..	By the municipalities, unions boards and local organisation.	
21	Rajshahi ..	Yes ..	Ditto. ..	In Natore town only.
22	Jalpaiguri ..	Yes ..	By the police with the help of sweepers.	
23	Dinajpur ..	Yes ..	By the municipalities and other local organisation.	In town area only.
24	Rangpur ..	Yes ..	Ditto.	
25	Bogra ..	No ..	No.	
26	Pabna ..	Yes ..	By the local people.	
27	Darjeeling ..	No ..	No.	
28	Malda ..	No ..	No.	
29	B. & A. Railway, Saidpur	Yes ..	By the Railway Police.	

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware that even now corpses are lying in the streets in rural areas in Bengal?

Khan Bahadur MOHAMMED ALI: Government have no information to that effect.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware that corpses lying in the streets in rural areas in Bengal are being thrown into the river?

Khan Bahadur MOHAMMED ALI: Government have no information.

House-searches at early hours of the morning, and detention of arrested persons in hajat.

17. Mr. NISHITHA NATH KUNDU: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that—

(*i*) searches and arrests in connection with Defence of India Rules were conducted in many cases in Calcutta during early hours of the morning, viz., between hours 1 a.m. and 4 a.m. between months of August, 1942, and July, 1943;

(*ii*) persons including ladies arrested after such searches in their homes were detained for a very long time, sometimes for more than a fortnight in the police *hajat*; and

(*iii*) two sisters, viz., Miss Nirmala Roy, B.A., and Miss Sushama Roy, who were only young girls, were detained in police *hajat* for a pretty long time (14 days)?

(*b*) If the answers to clause (*a*)(*i*) and (*ii*) are in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) under what law or rules the searches and arrests were conducted in the early hours of the morning; and

(*ii*) the reason for detaining arrested persons in the police *hajat* for a longer time instead of lodging them in the jail *hajat*.

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*)(*i*) Searches conducted by the Special Branch between the months of August, 1942, and July, 1943, were made at about dawn except in a few exceptional cases when for special reasons it was found necessary to conduct the searches between 1 a.m. to 4 a.m.

(*ii*) The persons arrested have in many cases been detained in police custody for a period of 14 days.

(*ii*) Yes.

(*b*) (*i*) All searches were made under rule 126(*4*)/126(*1*)(*b*), Defence of India Rules. The arrests were in the majority of cases made under section 54, Criminal Procedure Code.

(*ii*) The arrested persons were detained in police custody for purposes of interrogation and investigation.

Mr. NISHITHA NATH KUNDU: With reference to answer (*b*)(*i*), in view of the fact that the rules and sections quoted in the answer do not provide for the time, namely, between the hours of 1 and 4 a.m., will the Hon'ble Minister be pleased to state the rule or law under which these arrests and searches were conducted between the hours of 1 and 4 a.m.?

Khan Bahadur MOHAMMED ALI: If there is no time mentioned in the rule quoted, it is obvious that searches can be made at any time.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister please enlighten us in view of the fact that there is a specific provision that searches cannot be conducted between sunset and sunrise under what law and rules these searches were conducted in the early hours?

Khan Bahadur MOHAMMED ALI: I have already said under rules 126(*4*) and 126(*1*)(*b*).

Mr. NISHITHA NATH KUNDU: That is the rule under which searches are conducted and arrests are made, but my question is under what law the searches and arrests were conducted in the early hours of the morning.

Mr. SPEAKER: He seems to ask whether you can quote the rule or law which authorises searches during the period when the search actually took place.

Khan Bahadur MOHAMMED ALI: I have said that already—rules 126(*4*) and 126(*1*)(*b*).

Mr. NISHITHA NATH KUNDU: Sir, that rule only empowers arrests and searches, but it makes no mention about early hours.

Mr. SPEAKER: I have understood you but he answered it in that way. Have you any more supplementary questions?

Mr. NISHITHA NATH KUNDU: Yes, Sir. In view of his answer that ladies were arrested and detained in police custody sometimes for more than a fortnight, does the Hon'ble Minister think it desirable that some directions should be given to the police that at least ladies should not be detained in police custody for so long a period?

Khan Bahadur MOHAMMED ALI: It is difficult to accede to a request of this type, because sometimes it is necessary to detain prisoners for conducting investigation and interrogation. Therefore they have to be detained.

Dr. NALINAKSHA SANYAL: In police custody? (Laughter.)

Mr. SPEAKER: I think it will be better to try to understand a question first before answering it.

Khan Bahadur MOHAMMED ALI: Sir, Dr. Sanyal is wrong. I definitely said detention was necessary for interrogation. Dr. Sanyal is

trying to confuse the issue. Of course the prisoners have to be produced before the Magistrate and then remanded to police custody for the purpose of conducting investigation and interrogation.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister consider the desirability of detaining lady prisoners in jail custody and producing them before the police as and when they may require such prisoners for the purpose of investigation and not detaining such women prisoners in the police lock-up?

Khan Bahadur MOHAMMED ALI: In these cases it was necessary that they should be available to the police for interrogation, because when their houses were searched certain incriminating papers and articles were found and for successful prosecution and investigation it was necessary that the prisoners should be available for interrogation.

Mr. SPEAKER: I think Dr. Sanyal's question was whether Government will consider the desirability. Khan Bahadur had no reason to reply in detail.

Khan Bahadur MOHAMMED ALI: Sir, I was explaining the reason also.

Dr. NALINAKSHA SANYAL: Is it the view of the present Government that lady prisoners of all ages should be made available to the police?

Khan Bahadur MOHAMMED ALI: I never said that

Mr. NISHITHA NATH KUNDU: Is the Hon'ble Minister aware that such interrogations are made by the general police as also by the police of the Intelligence Branch even in jails always and frequently?

Khan Bahadur MOHAMMED ALI: Not always and frequently. There is difficulty in access to prisoners in jails.

Dr. NALINAKSHA SANYAL: Was it necessary in these cases to make these prisoners available to the police for interrogation or otherwise at all hours of the day and night?

Khan Bahadur MOHAMMED ALI: I never said that. Sir, I protest against that insinuation.

Mr. SPEAKER: Khan Bahadur, I would advise you not to talk too much. (Laughter.)

Mr. ATUL CHANDRA SEN: With reference to answer (*a*)(*iii*), will the Hon'ble Minister be pleased to state the approximate number of questions put to Misses Nirmala Roy and Sushama Roy which required their detention for 14 days in lock-up?

Khan Bahadur MOHAMMED ALI: This is an absurd question.

Mr. SPEAKER: You should not use that expression.

Khan Bahadur MOHAMMED ALI: You have not caught the implication. He wants to know the approximate number of questions put.

Mr. SANTOSH KUMAR BASU: I strongly protest against the language used by the Parliamentary Secretary. He has no business to characterise the question like that.

Mr. ATUL KRISHNA GHOSE: The reply is absurd and foolish.

Mr. SANTOSH KUMAR BASU: He must know his limitations.

Mr. SPEAKER: I have already said that it was wrong. After that there was no necessity for further discussion on that point.

The question is held over because the question time is over.

(At this stage the House was adjourned for 15 minutes.)

(After adjournment.)

Point of Privilege.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, on a point of privilege I desire to draw your attention to a letter which I received from the Secretary of the Assembly, dated the 2nd February, 1944, enclosing a copy of the report of the Select Committee on the Calcutta Municipal (Amendment) Bill and asking me to sign it, if necessary, with a note of dissent and send it back to him by the 3rd February, 1944, at the latest. I got this report delivered to me at 4-30 p.m. on the 3rd February and I have been asked to return it, if necessary with a note of dissent, on the 3rd February at the latest The letter is dated 2nd February. If the members of the Committee are required to perfom their duties to any extent whatsoever I think, Sir, nothing more ridiculous could be conceived than this particular procedure which has been adopted

Mr. SYED BADRUDDOJA: Sir, I am also a member of the same Select Committee, but I have not received any notice whatsoever.

Mr. SPEAKER: You may reply to that effect.

GOVERNMENT BILL.

The Bengal Finance (Sales Tax) Amendment Bill, 1944.

[The debate on the motions for circulation of the Bill for eliciting opinion thereon was then resumed.]

Mr. DHIRENDRA NATH SEN: Sir it is sad to contemplate that at a time when the province is passing through the most critical phase in her history, the Government should have come forward with a proposal to increase the burden of the people. That the Government should have so decided is also a poor compliment on their statesmanship and financial acumen. The famine in Bengal cannot yet be regarded as over, although its fury has abated a bit. The famine has brought in its trail death, disease and pestilence which are pursuing their relentless course and exacting daily their heavy toll of human lives. The famine may attain serious proportion

again unless the situation is handled in a judicious manner. Hence the proposal of the Government to increase taxation must be regarded as most ill-timed and unfortunate.

When the Government passed the Bengal Finance (Sales Tax) Act in 1941, in the teeth of the opposition in the Assembly, their declared objective was to raise more revenue for enlarging the scope of their nation-building activities. Although the preamble to the Act does not definitely earmark the proceeds of the tax for being utilised for nation-building purposes, it was, however, stated in the statement of objects and reasons for the Bill that "for the purpose of financing the further beneficent schemes for the economic improvement of the province, additional revenues are essential". In his Budget speech for 1941-42, the Hon'ble Mr. H. S. Suhrawardy referred to the Bill in the shape it had emerged from the Select Committee and said that the tax was necessary to permit undertaking some extension of the existing services in the fields of primary education, rural sanitation and rural water-supply and for the introduction of some "new services" to the people. He further said that the unlikely event of the Legislature refusing to empower Government to raise the necessary additional revenue would subject the whole Budget to drastic reductions, reductions that would not only paralyse any attempts to extend our beneficial activities but would seriously jeopardise the continuance of some essential services. Thus the clear object of the tax was that its proceeds should be utilised for nation-building activities. The Assembly also ultimately acquiesced in the hope that it should be so done. But what do we find in the actual practice? Have the Government kept their words? Have they utilised the proceeds, or the major portion thereof, for enlarging the scope of beneficient activities? Have they introduced free compulsory primary education? Have they established free medical dispensary in every two unions? Have they been able to improve the rural water-supply problem? The answer to all these queries is an emphatic "no". In none of these directions Government have been able to make much headway, although new tax was imposed, additional funds were raised and the money spent on schemes of doubtful utility. The Government thus lay themselves open to the charge of violating the moral undertaking they gave to the people, for the imposition of the tax. Thus, strictly speaking, not to speak of increasing the rate of the tax, Government can have no justification for its continuance even.

Hence, when the Government lack any justification for the continuance of the tax, it is doubly unjust that they should propose to increase the rate, particularly when prices have risen to fantastic levels and the costs of living gone up to abnormal heights. The incidence of the sales tax has already largely increased due to the phenomenal rise in the prices of all commodities, including those which have been brought within the purview of the tax. Even when the tax is calculated at the rate of one-quarter of an anna in the rupee, people are required to pay today three or four times as much as they paid in 1942 for a particular transaction, than what the legislators had in mind in enacting the Bill into law. The rate of the tax has thus increased fourfold. The proposed doubling in effect enhances the

incidence of the tax 7 or 8 times and 3 per cent. as stated by the Hon'ble Finance Minister yesterday. The mere fact that the realisations from the tax in 1942-43 which amounted to Rs. 68·94 lakhs, fell short of an anticipated income of Rs. 1 crore cannot be put forward to camouflage this fact of increased incidence of the tax. In the absence of any reliable basis to go upon, Government based their original estimate on mere guess work which largely went off the mark. It was only in 1942-43 that the Act had been in operation throughout a complete year. The real fact would therefore be known when we would be in a position to compare the realisations in 1942-43 with those in 1943-44. My contention that the incidence has largely increased as a result of higher prices would be evident when this year's budget would be placed before the House. I appreciate the fact that the expenditures of the Government have increased considerably and they are finding it difficult to balance their budget. But the mere fact that the budget is a deficit one should not have led the Government to propose to meet the same by taxing the poor people of the province. But before increasing the tax burden on the people we should enquire what are the factors that are producing huge deficits in the Provincial budget and what alternative means are there to meet the same. Everybody present in the House will admit that most of the increased expenditures of the Bengal Government have been occasioned by circumstances connected with war. But it is only a geographical coincidence that Bengal happens to be in the war zone. In ordinary course the budget would not perhaps have been a deficit one If war in the eastern theatre was not carried on by making Bengal a base of operation, the extent of the deficits, if any at all, would have been a negligible one. The liability for the gap between the income and expenditure of the Government of Bengal, should therefore in all conscience devolve on the Centre. I should, therefore, like to know what steps the Government have taken to secure a greater measure of financial relief from the Central Government and with what results. If the Government of India could not be persuaded to give greater relief in the shape of a subvention, the proper course of the Government should have been, I would suggest, to raise a loan rather than to increase the rate of the tax to meet their budget deficit. And in the present state of plethoric conditions in the money market Government's loan programme would have met with instantaneous success.

If, however, the Government are determined to flout opinion both inside this House and outside they should have at least provided for some relief to the poor and middle class people by broadening the list of exemptions and also given some idea to the people as to what is the precise purpose for which the additional revenue is needed.

The Government have themselves admitted the reasonableness of affording relief to the people by exempting *dhoties*, *sarees* and *lungies* from the ambit of this tax, but the relief proposed is quite inadequate. For example, disease and pestilence, coming in the wake of the famine, are taking heavy tolls of lives, and people in rural areas are dying for want of drugs and medicines at cheap prices, and it is painful to think

in this context that the Government themselves are seeking to raise the prices of drugs and medicines which have already gone up very high and are not within the reach of the poor and middle class people. Again, while people are finding it extremely difficult to continue to give proper education to their sons and daughters, Government should have desisted from doing something which would have the effect of increasing the educational expenses of the people. It is therefore highly desirable that the schedule of exempted goods should be suitably broadened further. Particularly drugs and medicines, books, pens, pencils, slates, etc., should be exempted from the scope of the tax. While the list should be broadened in one direction, the scope of the Act should be extended in another direction as to include sales to the Government of India while making purchase on its own behalf and on behalf of allied governments. It is not fair to ask the people of the province to pay more, while purchases made by authorities who are able to pay should not be taxed. There is no reason why the tax should not be levied on all war purchases made by the Government of India whether as a principal or an agent. In that case, people of the province would not have been required to pay greater taxes and there would have been no necessity to increase the rate of the tax.

Again, before calling upon the people to pay more, the public should have been provided with the outlines of practicable developmental schemes for the financing of which it is proposed to raise additional funds. The restoration and rehabilitation of the famine-damaged economy of Bengal will require colossal efforts on the part of every department of the Government. For one death, there are at least ten who are enfeebled and debilitated. To restore them to conditions of normal health is no easy task. The pauperization of millions of people will have a highly demoralising effect. We cannot hope to build a strong healthy people on gruel kitchens and doles. We must make our economy highly productive, the workers strong and efficient and build up our agricultural and industrial organisation on a basis which would banish famine and scarcity from this province of ours. For this purpose, plans of national reconstruction and rehabilitation should have been prepared and laid before the House, before the people are asked to pay more to the Government revenues. This proposal of the Government, if they are determined to double the rate of the tax, should have therefore been a proper and logical sequence after the Budget was placed before the House and the Legislature given an opportunity to know why they are asked to sanction greater taxation. People might have then known what are the schemes on which the Government propose to spend the additional revenues raised. The action of the Government, therefore, is like putting the cart before the horse. With these words, I would ask the Government to drop their present proposal.

Maulvi ABDUL WAHED : মাননীয় সভাপতি সাহেব, আমাদের সামনে বর্তমান অর্থ-সচিব মহাশয় বিক্রয়কর আইনের যে সংশোধনী প্রস্তাব আনয়ন করেছেন সেটা সম্বন্ধে জনমত সংগ্রহের

জন্য যে কয়টী প্রস্তাব আনা হয়েছে তার সমর্থনের জন্য আমি কিছু বলতে চাই। এই বিক্রয়-কর আইন যখন প্রথম পাশ হয় তখন বলা হয়েছিল জনসাধারণকে অর্থাৎ খরিদ্দারকে এই ট্যাক্স দিতে হবে না, বিক্রেতারা ও দোকানদারেরা দেবেন। কিছুদিন পরে সেটা গরীব ক্রেতাদের ঘাড়ে চাপান হলো। খরিদ্দারেরাই এই ট্যাক্স বহন কর্‌ছে। সে ট্যাক্স এখন আবার কম হয়েছে মনে কোরে ডবল করার ব্যবস্থা হচ্ছে। এ সম্বন্ধে আমার একটা গল্প মনে পড়ছে। কোন একটী বড়লোকের কাছে একটী দরিদ্র লোক তার মেয়ের বিয়ের সাহায্য চেয়েছিল। বড়লোকটী তাকে এক হাজার টাকা দেবার জন্য খাজাঞ্চিখানার উপর হুকুম দিলেন। খাজাঞ্চিটী চালাক লোক, সে মনে করলো—এক হাজার টাকাতে কতগুলি টাকা হয় তা বোধ হয় বড়লোকটী চোখে দেখেননি। দেখ্‌লে নিশ্চয়ই অত টাকা দেবেন না; সে তার মুনিবের বাইরে যাওয়ার রাস্তার পার্শ্বে টাকাগুলি সাজিয়ে রাখলো। বড়লোকটী সেই রাস্তা দিয়ে যাওয়ার সময় টাকা-গুলি দেখে জিজ্ঞাসা করলেন, "এ টাকাগুলি কিসের জন্য রাখা হয়েছে"? খাজাঞ্চি উত্তর করলে "গরীব লোকটীর মেয়ের বিয়ের সাহায্যের জন্য যে টাকা হুকুম করেছেন এ সেই টাকা।" শুনে বড়লোকটী বল্লেন, "রূপায়া কম্‌তি হুয়া, ডবল্ কোরকে দাও।" আমাদের পাকিস্থানী মন্ত্রি মণ্ডলও গদিতে বোসে টাকায় এক পয়সা বিক্রয়করকে কম মনে কোরে তাকে ডবল করার ব্যবস্থা করেছেন। আজকে পাকিস্থানের নামে ফাঁকি দিয়ে বাংলার মুসলমানকে কবরে নিচ্ছে—বাংলাকে আজকে কবরখানায় পরিণত করছে এবং নিজেদের কার্য্যকলাপের দ্বারা বাংলাকে কবরখানায় পরিণত করার পুরস্কার স্বরূপ পাকিস্থানী মন্ত্রিমণ্ডলী আজ আবার বিক্রয়করকে ডবল কোরতে চাচ্ছেন। আমি তাঁদের জিজ্ঞাসা কোরছি—জনসাধারণ এই ট্যাক্স বহন করতে রাজি আছে কিনা সেইটা জানিয়ে দেবার সুযোগ জনসাধারণকে দিয়ে এই বিলটা সাধারণে প্রচারের জন্য দেবার সাহস তাঁদের আছে কি? আমি জিজ্ঞাসা কোরতে চাই, বাংলার জনসাধারণ দুর্ভিক্ষের পর দুর্ভিক্ষের ফলে এখন এই যে না খেয়ে মোরছে, বাংলাদেশ প্রায় কবরস্থানে পরিণত হচ্ছে, যদি আরো কিছুদিন এইভাবে শাসন চলে তাহলে আর কিছুদিন পরে বাংলাদেশের অবস্থা কি দাঁড়াবে? এখন তো কবরস্থান হয়েছে, তার পরিবর্ত্তে বাঘের স্থানে পরিণত হবে। (Laughter from some of the members) সুন্দরবনের বাঘ বাংলা জুড়ে বেড়াবে আর পাকিস্থানে যারা চোরে বেড়াবে তাদের দিন দুপ্রহরেই বাঘে ধরে খাবে। সব জঙ্গল হয়ে যাবে, চলা ফেরার রাস্তা থাকবে না। তাই বলছি, একটু সাবধান হয়ে চলুন। জনসাধারণকে আর যাতনা দেবেন না। জনসাধারণের উপর আর বোঝা চাপাবেন না।

আজকে বাংলাদেশের লোকের কি অবস্থা! আমি জিজ্ঞাসা করি অর্থ-সচিব মহাশয়কে, তথা পাকিস্থানী মন্ত্রিমণ্ডলীকে, যে টাকা এতদিন বাংলাদেশের জনসাধারণ দিয়ে আসছে তা দ্বারা তাদের কি উপকার হয়েছে? এবং নূতন কোরে এই টাকাটা নেওয়ারই বা দরকারটা কি? যারা টাকা দিয়েছে তারা তো মোরেই গিয়েছে, আবার কোন সাহসে তাদের উপর দিয়ে ট্যাক্স বাড়া-বার ব্যবস্থা কোরছেন সেই কথাটা পুনঃপুনঃ আমার মনে জাগছে, এবং সেইজন্য জনসাধারণের পক্ষ থেকে আমি এর একটা সদুত্তর চাইছি। আজ বাংলার পরিবারের পর পরিবার মোরে নির্ম্মূল হয়ে গেছে। আমার বাড়ীর নিকটে একটী পরিবারে ২৬টী লোক ছিল, তার মধ্যে মাত্র দুইটী লোক অবশিষ্ট আছে। আর ২৪টী লোক মোরে গেছে। আর এক পরিবারে ১০ জন লোকের মধ্যে ৭ জন মোরে গেছে, তিন জন রয়েছে। আমাদের বর্ত্তমান মন্ত্রিমণ্ডলী যদি লোকদের দুর্ভিক্ষের কবলে ফেলে জনসংখ্যা কমিয়ে আয়-বৃদ্ধি দেখাতে চান, অবশ্যই যখন তাঁদের হাতে ক্ষমতা, তা তাঁরা করতে পারেন, কিন্তু বাংলার জনসাধারণ এটা সহ্য করবে না.

বরদাস্ত করবে না। তাই আমি বলছি—আর ট্যাক্স বাড়াবেন না। যে বিক্রয়কর আইনের খসড়া এখানে পেশ করেছেন, সে সম্বন্ধে বিরোধী দলের পক্ষ থেকে প্রচারের জন্য যে কয়টী প্রস্তাব করা হয়েছে, সেই প্রস্তাব তাঁরা গ্রহণ করুন, এবং বিলটা জনসাধারণের মধ্যে প্রচারের জন্য পাঠান। যদি জনসাধারণ এই ট্যাক্স দিতে রাজি হয় ভাল, নৈলে যদি জোর কোরে বাংলার জনসাধারণের উপর আবার ট্যাক্স ধরা হয় তাহলে বাংলাদেশে অচিরেই বিদ্রোহ হবে—বিপ্লব দেখা দিবে।

Mr. UPENDRANATH EDBAR: Mr. Speaker, Sir, I had not the least intention to take part in today's debate in the Assembly regarding the Sales Tax Amendment Bill of 1944; but I think I shall be failing in my duties towards the country and to my constituency if I do not express my views about the merits and demerits of the aforesaid pernicious Bill which is on the anvil now.

When this Bill—I mean the Sales Tax Bill of 1940—was first introduced in this Assembly, the Hon'ble Mr. H. S. Suhrawardy was the Finance Minister of Bengal. He is even now gracing the Treasury benches. This Bill was opposed for its basic principles by the press and platforms and even by the members of the Legislature supporting the Government. It was argued by him that more money would be necessary for better works to be done and extra revenue derived from this measure would be spent in nation-building departments and specially for improving the sad lot of the poor agriculturists of Bengal. May I now ask the Hon'ble Minister Mr. H. S. Suhrawardy has he kept his words of honour; has he at all tried to keep his words and carry into effect the hopes and assurances he gave us although long four years have passed? Certainly not. All these have been proved bluffs. We are not to be misled and diverted from our purposes any longer by the false hopes and assurances of the Hon'ble Finance Minister.

When the Bill was first introduced, Bengal was passing through better days. Still the Bill owing to its pernicious nature was opposed from all directions. Bengal has now been passing through various dangers and difficulties, privations and economic crisis of far-reaching character and the like of which she has never experienced since 1770 and she can hardly bear the burden of a new taxation on the daily necessaries of life. Bengal was in the grip of a formidable famine which has taken a heavy toll of human lives, specially of the unlucky and wretched Scheduled Castes people and of the Muslims of Bengal. They have died and are dying, without number, of starvation, cholera, fever and pox like cats and dogs uncared for and unattended. Has the Government been able to save a single human life from the clutches of the dire famine although it was within its power and although it is the first and foremost duty of every autonomous Government? It has absolutely bungled and therefore utterly failed.

I strongly believe that a famine of a more formidable character will face the province of Bengal this year too and the present Government has no power whatsoever to give relief to the distressed while excessive corruption,

jobbery and bribery are rampant within the departments. Then may I ask, what justification has this so-called Ministry to double the rate of the sales tax while public money is being so squandered away right and left?

I do admit that Government has an inherent right to tax the people when the revenue of the province falls short of the budgeted expenditure. This can happen in two ways during peace time, namely, when the Government waste public money right and left without any justification and secondly, when the Government economically spends the public money after the nation-building departments and requires more funds for better administration. But we are faced with an abnormal situation due to war in the country and therefore Government has to incur abnormal expenditure in running the present Government. This is the natural effect of the war in the province. You cannot shake it off. Had there been no war in this country, Government would not have incurred such a huge additional expenditure in connection with defence and protection of the country The defence and the protection of the civil population are the paramount business and duty of the Central Government; so the abnormal cost of administration arising out of the war situation prevailing in the country should be borne not by the Provincial Government but by the Central Government, nay by the United Nations. If no helping hand is stretched forth from that direction, let us meet the deficit budget by retrenchment or by taking a loan from the Central Government. Why should the poor people be taxed again for nothing from generation to generation without any justification.

With these few observations I support the motion of Dr. Nalinaksha Sanyal for circulation for the purpose of eliciting opinion thereon.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, I rise to support the circulation motion that has been moved by my friend. In rising to support it, I shall speak a few words.

The Hon'ble Minister in introducing the Bill has clearly stated that this Bill has been necessitated because of the war conditions. It is certainly according to the opinion of all of us a war taxation. It is necessary to bridge the gulf between the revenue and expenditure necessitated by the war conditions. If it is such, I want to put one question to the Hon'ble Minister. By this tinkering legislation will they be able to bridge the gulf that will be made between the revenue and expenditure on account of the war conditions?

Sir, standing here I can say on behalf of my party that we have no sympathy with the war efforts and therefore we cannot give our support to such a Bill. But if, as a matter of fact, the British Government declares that the people of India have got sympathy with war efforts, there is no reason why this Bill should not be circulated for eliciting public opinion treating it as a war taxation.

Sir, this is a war taxation and the gulf does not amount to lakhs but crores. We were told by the Hon'ble Minister while introducing this Bill that, as a matter of fact, the difference between revenue and expenditure

will not be Rs. 7 crores, as estimated, but it will be more than Rs. 7 crores. I may take it that the difference will amount to Rs. 10 crores. So, this legislation will not serve the purpose. They must definitely tell the Central Government that as this difference has, as a matter of fact, been created by the war conditions, Bengal will not bear the burden, but the Central Government must take the responsibility of bearing the burden and I think that not only the Central Government but His Majesty's Government also must take the responsibility of bearing the burden. It is a war for the perpetuation of their Empire. It is not a war for the liberation of India and as it is not a war for the liberation of India, we shall not pay a single pie for the war effort. If we pay it, we do injustice to ourselves. If you think that the people of India have got sympathy with the war measures, treat it as a war taxation, send it to the people, ask their opinion and if they give their opinion that they have got sympathy with the war efforts, that they have got sympathy with the war taxation, then introduce this Bill in this House, but otherwise not. This is one aspect of the question.

Another aspect of the question I want to raise in this House. Government is not probably aware of the miserable condition of the people, specially in the rural areas. I have been touring through the district of Tippera during the last three months of November, December and January and I found the condition of the people so miserable that words fail to describe their miseries. People are still starving, people are still dying not in hundreds but in thousands. I put one question today to the Parliamentary Secretary with regard to the disposal of corpses. I found people dying and corpses lying in the streets. The corpses are being thrown into the river for want of fuel. I do not know if it is a fact that even the rich could not burn the dead bodies for want of fuel, because there were no labourers in the rural areas Those dead bodies which were buried could not be buried deep underground, because no labourers were available The result is that jackals and other beasts are digging them out and carrying the corpses from place to place I have witnessed these things with my own eyes. This is the condition of the people in rural areas.

Mr. Speaker, Sir, not only the condition of the poorer section of the people is miserable in rural areas, the middle class people also are very badly affected. As a matter of fact the students belonging to the middle class families cannot prosecute their studies for want of text-books In the Bengal Finance (Sales Tax) Bill there is an exemption of tax for primary schools, but there is no exemption of tax for secondary schools. If this tax is doubled, prices of text-books will increase enormously and the price of papers also will increase enormously Probably Government are not aware of the miseries of the people prevailing in the rural areas. If they had been really aware of the real situation prevailing in the countryside, they would not have ventured to bring forward a measure of war taxation like this in these circumstances of the country.

Sir, we oppose it on two grounds, firstly, because it is a war taxation measure and we are not going to support any war taxation, and secondly, we cannot support it having regard to the miserable condition of the people.

Khan Bahadur MOHAMMED ALI: It is not war taxation.

Mr. DHIRENDRA NATH DATTA: Yes, it is war taxation. It has been so declared that this tax is necessary because of the war condition, because revenue is necessary to bridge the gulf between expenditure and revenue and this expenditure is necessary on account of war condition. So I take it that this is war taxation. We have nothing to do with it. Let this Bill be circulated for eliciting public opinion and if people express their sympathy with this measure, then only we can accept it; otherwise not. This Bill should not be proceeded with without eliciting public opinion thereon.

With these few words I wholeheartedly support the circulation motion moved by my friend Dr. Sanyal

Khan Bahadur MOHAMMED ALI: Sir, I move that the question be now put. This subject has been sufficiently discussed for already a day and a half. On an important Bill even it has never taken more than a day to discuss a circulation motion.

Mr. SASANKA SEKHAR SANYAL: This has not been sufficiently discussed. Sir, I oppose the motion.

Mr. SPEAKER: It is entirely for me to decide.

Mr. A. F. STARK: Sir, I beg to support the closure motion. Members are only repeating their arguments. We have heard nothing new; they are only repeating their arguments over and over again. The debate has been going on for a day and a half, and we, Sir, consider that we have sufficiently debated this subject. This should now be put to the House.

Mr. SASANKA SEKHAR SANYAL: Sir, I believe it is not the comment upon war that has put fire into the house! The position is this: millions and millions of people are going to be taxed and the amount of tax will be huge. It will be extremely unfair if discussion is limited merely by a majority of votes.

Mr. SPEAKER: It is entirely for me to decide Government allotted three days for the discussion of this Bill. I have consulted the Whips of all the parties and it appears to me that the majority of the Whips want that this Bill should be finished tonight, but there is at the same time a desire that if this Bill is to be finished tonight we have got to sit for some extended time. (Cries of "No, no" from the Ministerialist Benches.) I heard also from the Government side that that will not be convenient for Government. I spoke to the Minister in charge of the Bill and I have not yet heard from him as to what is the final decision of Government.

Mr. SASANKA SEKHAR SANYAL: On what point?

Mr. SPEAKER: What is the decision of Government about sitting longer.

Mr. SASANKA SEKHAR SANYAL: Is it decision or opinion?

Mr. SPEAKER: I think Government opinion means Government decision here. It matters little. On this closure motion I am constrained to say that there are party leaders who want to speak and until some opportunity is given to the party leaders, I am afraid, I cannot accept this closure now. (Cries of "Hear, hear" from the Opposition Benches.)

Mr. A. F. STARK: Sir, will you now call upon the party leaders to speak?

Khan Bahadur MOHAMMED ALI: Sir, the closure motion has already been moved. If you think that the party leaders should speak, you should restrict discussion to the party leaders only.

Rai HARENDRA NATH CHAUDHURI: Many party leaders are absent.

Khan Bahadur MOHAMMED ALI: The House should not suffer for the absence of party leaders. On the one hand the Opposition say that this is an important matter and on the other they say that the party leaders are absent.

Mr. SPEAKER: I won't allow any more discussion on this point. I call upon Mr. Poddar to speak. Yes, Mr. Poddar, I hope you will be very brief.

Khan Bahadur MOHAMMED ALI: Mr Poddar is not a party leader.

Mr. SPEAKER: This gentleman asked my permission and I have given my permission to him.

Khan Bahadur MOHAMMED ALI: In view of the fact that the closure motion has already been moved and it has already been supported by the Chief Whip of European group, I submit that the question be now put.

Mr. SASANKA SEKHAR SANYAL: Government can tax as much as they like, but they cannot restrict the Speaker's powers.

Mr. SPEAKER: I have already asked Mr. Poddar to speak. Yes, Mr. Poddar.

Mr. ANANDILAL PODDAR: Mr. Speaker, Sir, Bengal has not yet recovered from the most devastating famine of recent time. The after-effects of this cruel tragedy still persist; shadows of death are still closing in in thousands of unfortunate homes in Bengal, creating a sombre gloom all round. A deep distress has humanised our soul. At this stage I would naturally avoid, as far as possible, any reference to those forces that have operated behind the scene which brought about this disaster, much as I were tempted to be dragged into these controversies. At this juncture when the gloom has deepened all over the province, the Government of Bengal have chosen to introduce the Bengal Finance Sales Tax Amendment Bill. The Hon'ble Finance Minister, while introducing the Amendment Bill yesterday, revealed that the Budget for 1944-45 was likely to show a deficit much considerably higher than 7½ crores of rupees represented by

the last year's deficit. The necessity for additional revenue, he contended, is unquestionable and the Sales Tax Amendment Bill is therefore the only justifiable means to secure this additional revenue. The premise that there is a huge deficit and therefore the irresistible logical conclusion is that the Government of Bengal must find that money by any measure of taxation to meet that deficit regardless of consequences, regardless of its repercussions on the economic structure of the province. Sir, any measure for taxation is always unpopular and it is the duty of the legislature to examine carefully whether the measure is justified or not. Taxation of sales is obnoxious and has been condemned in no uncertain terms by many an economist all over the world. The celebrated economist, Seligman, has expressed himself very strongly against taxation of sales. He contends "A general Sales Tax is a discredited remnant of an outworn system. It is essentially undemocratic in nature and it would, if enacted, exaggerate rather than attenuate the present inequality of Wealth and Income". Other economists hold the view that the Sales Tax has a tendency to cripple trade, promote industrial unrest and increase unemployment. A general Sales Tax, it has been contended by many, offends the four canons of taxation formulated by Adam Smith, e.g., ability to pay, certainty of incidence, administrative convenience and economy. The Colwyn Committee appointed to investigate the taxation system in the United Kingdom has expressed the opinion that it militates against the fundamental principles of taxation —ability to pay. Secondly, it is a regressive tax, and being a tax on consumption, it tends to raise prices, promote labour unrest, increase agricultural indebtedness and thus hit the poor classes. Thirdly, the view is very often held that the middle men who are the intermediary links for internal and foreign trade, get extinguished by this tax. It was therefore not for nothing that there was a volume of opposition when the Sales Tax was first sought to be placed on the Statute Book during the regime of the first Coalition Ministry in 1940 and the Government had to concede to public opinion and modify many of the provisions of the Act accordingly. It may, however, be argued on behalf of the Government that the Finance Sales Tax Act has, in spite of its glaring defects, come to stay and has had no disastrous effect so eloquently emphasised by many an eminent economist. The answer is very simple. In any other country, the recent famine which resulted in millions of deaths in Bengal, would have provoked a first class crisis and razed the Government to the dust, and yet in spite of the present Government's pursuit of wrong policies and programme, in spite of the fact that the present Government directly and indirectly are responsible for this disaster, they have gone on merrily; no revolution has occurred in the land to threaten in any way the foundation of the Government. We submit to any evil, because we are helpless, because a comfortable majority, secured through any means, fair or foul, is a safeguard against any threatened catastrophe.

We began with the Hon'ble Finance Minister. We make an apology for reverting back to the Hon'ble the Finance Minister's contention that the necessity for additional revenue is unquestionable. I do not deny that the Government have the inherent right to make a proposal for fresh

taxation to meet urgent demands on the Public Exchequer, but the Government's case must always be an unassailable one. On the one hand, the Government must satisfy the public (*a*) that the money hitherto raised by the Sales Tax has been spent for promotion of public good, (*b*) that the proposed enhancement of Sales Tax is in the public interest, and (*c*) that it is not imposed on the over-burdened people for meeting a deficit created by conditions for which the Central Government must come to the rescue of the Provincial Government. In other words, the Government must exercise every possible economy and after the fullest demand of economy has been met and even though the Government have done their best to husband the resources with the strictest economy, they must satisfy the legislature that the requirements are so urgent that they cannot be met with the existing resources and as such they have no other alternative but to make proposal for fresh taxation. I would ask the present Ministry if they can, with a clear conscience, give a satisfactory answer to the question that they have not allowed any wastage or excess expenditure of public revenue during their regime. Were the appointment of 13 Ministers and 17 Parliamentary Secretaries absolutely the minimum necessary to meet the burdens of administration in Bengal? Was the huge expenditure on the tour of Ministers and Parliamentary Secretaries even outside Bengal justified by the financial crisis through which Bengal is passing? Was the abnormal expansion in the Secretariat and other Government departments as evidenced by appointments on a large scale, unavoidable if the crisis in Bengal had to be averted? Can they say that as a result of the measures, the situation in Bengal has so much improved that they are now justified in coming up before the legislature with a fresh proposal for taxation in order to save the impending crisis into which it has been dragged, not merely by forces outside but by forces created within the province by the inefficient handling of the administrative machinery and complete bungling of the whole situation with a view to surrender tamely to vested interests? Is not the ill-considered purchase policy and entrustment of all Government transactions to a monopolist responsible for heightening of prices and creating panic among the general public?

Mr. SPEAKER: Make it short, please.

Mr. SASANKA SEKHAR SANYAL: He is offering new points, Sir, for the edification of Mr. Stark.

Mr. SYED BADRUDDOJA: He has raised certain new points worthy of consideration.

Mr. ANANDILAL PODDAR: Is it not a fact that wrong policies and programme pursued by this Government not only brought about the famine but ate into the resources of the province and caused deficit by enlarging Government expenditure in conceivable and unconceivable ways? Can the Government deny that they refrained from utilising the normal channels of trade and entrusted the distribution of foodstuffs to inexperienced and inefficient hands who have no other claims except that they are supporters

of the Government? The excesses of the Government in the matter of allocation of shops and distribution of foodstuffs are not however the only instance of the way in which the present Government have squandered the public money without any consideration for the economic and financial interest of the province. On what grounds can they justify the creation of new departments and posts and enlargement of office with so many officers when they do not know their business themselves and had in the past bungled from stage to stage? Have the 4,000 appointments in the Civil Supplies Department been created to serve the public or to squander away public money to pamper the underlings and hirelings of this Government. What reasons are there in contemplating additional appointments in the High Court? Can they, in view of this extravagance, come with a clear conscience before the House, and demand that the House should support the proposed measure of taxation? On the basis of such extravagance proposals for fresh taxation should be opposed in normal times. In abnormal times like the present, they are not only unjustified but mark the limit of callousness and indifference to public interest, which is little short of criminal. There are other considerations which I propose to place before the members of the legislature. The public morale has already been rudely shaken by famine and the economic crisis through which Bengal has passed in recent time. The thoughtless activities of the present Government have deprived them of public confidence and I am afraid, the present taxation proposals are bound to further create panic and impair the relations between the Government and the public at large.

Representing as I do trade and commerce, I would urge upon every honourable member in the House, who have the interest of Bengal at heart, to consider if he can agree to a proposal for imposing fresh burden upon the people before they have recovered from the shock and starvation which resulted in an unprecedented famine of 1943. I would most earnestly request you to consider my suggestion that with the appointment of a new Governor in the Province, it is necessary that the Governor with his wide and varied experience, should have an opportunity of studying the actual conditions in Bengal and devising measures for meeting the financial crisis which undoubtedly exists in Bengal, before obnoxious measures of this description are placed on the Statute I would urge that the Ministry would be well advised to let the Governor have sufficient time to study many intricate problems of this province and explore all possibilities of retrenchment and curtailment of expenditure before any fresh burdens are imposed upon the public in these difficult times. It is desirable that nothing should be done in a hurry now, so that the crisis may be precipitated.

The Bengal Sales Tax Amendment Bill, in sub-section (*i*) of section (*2*) proposes to double the Sales Tax from one pice in the rupee to 2 pice in the rupee. The Bengal Government have already crushed the poorer classes and they now propose to pauperise the middle classes as well. The prevailing market price of rice will put a serious strain on the resources of the people already taxed to the utmost. Government want to kill the goose that lays the golden eggs. When people have been impoverished

from every possible source, their buying capacity is bound to deteriorate and the total amount of tax will fall far below expectation. Without this proposed amendment, Government have already received more than 4 times the original incidence of taxation. Prices of taxable goods have increased nearly four times or more due to various reasons and people have already been paying the taxes in an increased form. Prices of goods have increased due to shortage of supply, inflation, heavy Government purchases, higher wages and cost of raw materials and the controlled prices of goods are much above the pre-war level, specially of drugs, medicines, textile goods, etc. The rate of tariff has also increased from 5 per cent. to 10 per cent. *ad valorem;* cesses have also been imposed on agricultural products, thereby causing appreciation in the value of goods based on these materials.

(At this stage the member having reached the time-limit resumed his seat.)

Khan Bahadur MOHAMMED ALI: Sir, I again move that the question be now put.

Mr. A. F. STARK: Sir, I support it.

Mr. SPEAKER: I would like to tell you the procedure that I want to follow in this matter. One party has not spoken at all up till now: that party is Mr. Fazlul Huq's party. I am going to allow one member to speak from that party.

Mr. SASANKA SEKHAR SANYAL: Sir, we want one speaker from our party to speak.

Mr. SPEAKER: Who will speak from your party?

Mr. SASANKA SEKHAR SANYAL: The name is there, Sir: Mr. Atul Krishna Ghose.

Khan Bahadur MOHAMMED ALI: Sir, we object to it.

Mr. SASANKA SEKHAR SANYAL: Who are you to object?

Mr. SPEAKER: Order, order. I will allow Mr. Zaman and then I will allow Dr. Syamaprasad Mookerjee: I will allow these two gentlemen.

Mr. A. M. A. ZAMAN: মাননীয় স্পীকার মহোদয়, প্রত্যেক দেশেই প্রত্যেক গভর্ণমেণ্ট যখন দেখে সমস্ত উপায়ে খরচ কমের সমস্ত দিক থেকে চেষ্টা করে গভর্ণমেণ্ট চালাতে পারে না সেই সময় ট্যাক্স বসিয়ে রাজকোষের অভাব পূরণ করে। কিন্তু বাংলা দেশের দুর্ভাগ্য যে খরচ কমানো তো নয়ই বরং দিন দিন বাড়িয়ে দিয়ে আরো যাতে ট্যাক্স বসানো যায় সেই চেষ্টা গভর্ণমেণ্ট করছেন। এই যে যখন বাংলা দেশের একটি-দুটি নয় যখন লক্ষ লক্ষ লোক মারা যাচ্ছে সে সময় কিসে ট্যাক্স কমিয়ে দিয়ে গভর্ণমেণ্ট লোকদের রক্ষা করবে, সেটা না কোরে লোকদের উপর নূতন কোরে ট্যাক্স বসিয়ে তাদের আরো মারবার চেষ্টা করছেন। Sales tax যখন বসেছিল তখন বলা হয়েছিল "এটা উঠিয়ে দেয়া হবে।" এখন দেখি উঠিয়ে দেয়া তো দূরের কথা বিক্রয়-করটাকে ডবল করা হচ্চে। এর ফলে গরীব কৃষক জনসাধারণের কি উপায় হবে? এই যে খরচ বেড়ে যাচ্ছে তার জন্য দায়ী কে? গভর্ণমেণ্ট

মন্ত্রী-সংখ্যা বাড়িয়েছেন, অতগুলি পার্লামেণ্টারী সেক্রেটারী করেছেন, সিভিল সাপ্লাই ডিপার্টমেণ্টে হাজার হাজার লোক নিযুক্ত করছেন তার ফলে জন কতক মুসলমানের পিছনে অনেক টাকা খরচ করছেন কিন্তু লক্ষ লক্ষ মুসলমান যে না খেয়ে মরছে সেদিকে লক্ষ্য নাই। সে হিসাবে কি তারা কোরছেন? সেদিকে তাঁরা কিছু করবেন না এ আমি জানি। (laughter from the treasury benches) কিছু করবার কথা যখনই বলা হয় তখন মিনিষ্টারদের দলের তরফ থেকে হাসি বেরোয় কারণ তারা জানে যে তাদের এই হাসি শেষ হাসি। একদিন হজরত এক ধনী ইহুদির বাড়ী ক্ষুধাতুর অবস্থায় গিয়ে তার কাছে বল্লেন "আমাকে কিছু খেতে দাও।" তখন সে ইহুদি উত্তর করল, "বাপ দাদা কিছু রেখে যায় নাই যে তোমাকে আমি খেতে দেবো।" তখন হজরত খোদাবন্দকে প্রার্থনা জোরে বল্লেন এই ইহুদিকে বহুৎ ধনদৌলৎ দাও। তারপর সেখান থেকে কিছু দূরে গিয়ে দেখলেন, একটী বেওয়া বসে আছে তার সম্বল একটী মাত্র গাভী; সেই বেওয়া তাঁকে যত্নকোরে খাওয়ালো। হজরত তখন প্রার্থনা করলেন, "খোদাবন্দ করিম এর এই গাভীটা নিয়ে নাও।" রাস্তায় বেরুবার পর অনুচর হজরতকে জিজ্ঞাসা কোরলে হুজুর ইহুদি আপনাকে কিছু খেতে দিলে না, আর তাকে আপনি ধনদৌলৎ পাওয়ার দোয়া করলেন আর এই বেওয়া আপনাকে এত যত্ন করে খাওয়ালে তাকে ওরূপ দোয়া করলেন কেন? তখন হজরৎ উত্তর কোরলেন, ইহুদি আখেরের ভাল চায় না, দুনিয়াই তার সব, এখানেই শেষ এখানে যদি সে খেতে না পায় তবে খোদাকে বলবে আমি কিছুই দুনিয়াতে পাই নাই। আর ঐ বেওয়া সে আখেরের ভাল চায়, দুনিয়ায় শান্তি সে চায় না। ওদের কি সেই আখেরের চিন্তা আছে? না দুনিয়াই শেষ? যেখানে লক্ষ লক্ষ গরীব——

Mr. SPEAKER: Don't bring heaven and hell into your discussion: I will not allow that.

Mr. A. M. A. ZAMAN: Sir, আমি attack রছি না যে Sales taxটা বোসাচ্ছে তারি কথা বলছি। নদীর ধারে গেলেই দেখা যায় কে হিন্দু কে মুসলমান কিছু চেনার উপায় নাই, সেখানে হাজার হাজার লোক মোরছে, এখন তাদের আরো মারবার জন্যে নূতন কোরে——

Khan Bahadur MOHAMMED ALI: Is he relevant, Sir?

Mr. SPEAKER: Mr. Zaman, do not dilate upon things which may be relevant but not directly connected with the subject-matter under discussion.

Mr. A. M. A. ZAMAN: আমি দেখছি আমাদের সামনে যমদূতের মতন বোসে আধমরাদের উপর যারা আরো ট্যাক্স বসাচ্ছে তাদের সম্বন্ধে না বলে পারছি না। যদি দেখতাম যে পার্লামেণ্টারী সেক্রেটারীদের মাইনে শতকরা ৫০ টাকা কম কোরে নিয়ে তার পরে এই ট্যাক্স বসাতেন তাহলে বুঝতাম তাদের মনুষ্যত্ব আছে (interruptions from the Government Side) এতবড় একটা জিনিষের আলোচনা কোরতে বাধা দিচ্ছে তথাকথিত কতকগুলি Special Constableএর দল (laughter) আজকে বলে দিচ্ছি ঐ কনেষ্টবলগিরিতে চলবে না। মনে করেছ যে তথাকথিত মুসলীম লীগের নাম করে বাংলাকে উজার কোরে চলে যাবে। বাঙালী একদিন জাগবে এবং ঐ ইহুদির মতন তাদের দুনিয়াতেই সব শেষ হবে। আখেরে শেষ হবে না।

Mr. SPEAKER: Mr. Zaman, I am sorry you are again speaking on things which I asked you not to.

Mr. A. M. A. ZAMAN: আজকে যে মোসন্ এনেছেন সার্কুলেসনের জন্য যাদের মনুষ্যত্ব আছে, তাদের কাছে আমি নিবেদন করছি, যাদের মনুষ্যত্ব নাই তাদের কিছু বলছি না। একবার বাংলার দিকে চেয়ে দেখুন (laughter and voices of "দেখছি দেখছি") হাসবার আগে একবার পিছনে তাকান গরীব কৃষক Scheduled Castesদের মতন তোমার ছেলেও হয়তো একদিন অন্ন আর বস্ত্রের অভাবে মোরবে। তার আগে একবার চিন্তা করে দেখুন এই দুঃসময়ে এই রকম ট্যাক্স বসান ঠিক হবে কিনা।

Dr. SYAMAPRASAD MOOKERJEE: Mr. Speaker, Sir, it is significant that in the course of the debate yesterday and today not one member belonging to the Government side has spoken in support of this taxation measure. Even the European group would not muster courage to say something in favour of this measure although its moral and physical support had no doubt been promised to Government—physical in the sense that they will go to the lobby and vote in favour of the Government.

Sir, the most important point I would like to place before the House is with regard to the general question of principle. Why is this taxation necessary, especially at a time when Bengal can ill afford to have a measure of this description? The Hon'ble the Finance Minister explained yesterday and also previously that the Government of India had practically forced the Provincial Government to bring forward this measure of taxation. There is no doubt that there is a huge deficit confronting the province. That deficit, it was announced some time ago, was approximately about 7½ crores of rupees. Yesterday we were told that the figure would be much higher than 7½ crores. Obviously the substantial assistance for temporarily balancing the budget would come from the Central Government but the Government of India, I believe, wanted an assurance from the Bengal Government that it would do everything possible to augment its income so as to justify its claim for a higher subvention from the Central Government. Sir, the point which I would like to emphasize is that a similar point of view was placed before the previous Ministry but the previous Ministry succeeded in persuading the Government of India to agree that in view of the abnormal situation through which Bengal was passing there should not be any further taxation. If that was the state of affairs a year ago, is not the situation far worse today in Bengal, specially after the catastrophic famine conditions which passed from one part of the province to the other?

Now, Sir, the total collection that the Bengal Government will make towards meeting the deficit by this fresh taxation has not been announced by the Finance Minister. It may be a crore of rupees or it may be a crore and a half. How precious little that amount is in relation to the total deficit which faces the province today and yet how easier it is for the Government of India to help this unfortunate province rather than compel it to resort to taxation. After all the printing machine is there; there is no dearth of paper so far as note-making is concerned; the rubber stamp is there and the Central Government is just to come to the rescue of the province to the extent that may be necessary in view of the extraordinary circumstances now prevailing here.

There are two special considerations here to be borne in mind. First, why has this huge deficit arisen? It is mainly due to the war conditions and for this the special responsibility rests on the Government of India, a responsibility which has already been accepted by the Government of India who in its own interest has to come and help the province of Bengal to the best of its ability. Secondly, Bengal's claim now receives added strength on account of the terrible economic distress that confronts the province today. I do not know what representations the Bengal Ministry has made to the Central Government; I do not know what representations the Bengal Government made specially during the last few months after famine had broken out in Bengal asking to be released from the burden of forcing this taxation on the province of Bengal. There is no claim on the part of the Ministry that any portion of this taxation is going to benefit the people. There is no suggestion that any portion of this is going to be utilised for any nation-building department. In fact I congratulate the Finance Minister on the concise and clear-cut manner in which he has put the case before the House, namely, that the whole of it will go—as little as it may go—for balancing the budget. If that is the position, why not accept the resolution which has been moved by Dr Sanyal? Take a little time; approach the Government of India. Let it be a united demand from the House representing the Government point of view and the Opposition point of view, namely, that Bengal cannot accept this new burden of taxation specially after the terrible famine whose after-effects have not yet disappeared from the province. Make it not a party question. It is up to you to ask an adjournment even for two or three days. You can say that we shall jointly go up to the Government of India and we shall force the Government of India not for the sake of the Ministry's future existence but for the future existence of the province itself to agree to drop the measure, unless the Minister says that this is a taxation measure which will not touch the affected people of this province and is justified on its merits. If that is the view of the Ministry and if that is the view of the party supporting the Ministry, then of course it is a different matter. But I do not think, Sir, there is any Indian member in this House—I cannot say with regard to the British Group—but so far as the Indian members are concerned, I do not think there can be any one who does not feel it in his heart of hearts that this taxation measure is going to affect seriously the well-being of millions of people who have been hit by the serious economic distress prevailing in this province.

I make this suggestion to the Finance Minister. They might have failed with the Government of India; it will be for him to say whether the last attempt which the Government of Bengal made was in September last or there was a fresh attempt after famine had broken out in Bengal. That is a question I am putting to Mr. Goswami, and if that had been done, let it receive added strength today from the House. Let a unanimous wish be expressed from all sections of the House that we do not want this taxation measure and this one crore or a crore and a half has got to come from the Government of India by any means that it can manage.

Now, Sir, Sir Jeremy Raisman, the Finance Member of the Government of India, in course of his Budget Speech before the Central Legislature in 1943 said these words: "I am convinced that our sheet-anchor in the present emergency must be more and more borrowing". Taxation there has been during the period of the war, but that taxation has generally affected such classes of people who had amassed huge fortune due to the war conditions in this country, but a general levy of taxation affecting the ordinary mass of the people, already hit by economic distress, has not been resorted to by the Government of India. How much money has not the Government of India borrowed according to the principle laid down by the Finance Member of the Government of India? Of course, I do not know what credit the Bengal Finance Minister possesses or the Bengal Government possesses to enable them to borrow money, but in any case they can borrow from the Government of India and the Government of India can and will come to the rescue of this province because ours is a very modest request, supported by all sections of the House.

If we come, Sir, to the detailed provisions of the Bill, there are certain broad facts which stand out for our consideration. You will find, Sir, a point emphasized by many speakers, and I need not dilate on it except just to refer to it as this is an important point. The incidence of the tax has already increased on account of the phenomenal rise in prices of the commodities which fall within the purview of this Bill It is a patent fact—every one knows it—a commodity which was priced at Rs. 3 is today priced at Rs. 9, and if it was fetching one pice per rupee as Sales Tax it is already fetching at least three times that amount; it is now proposed that that will come up to six times the normal amount. A spokesman of the British Group said a few minutes ago that this was a Bill which was not going to affect the poor men. The phenomenal rise in prices of commodities included within the scope of the Bill is a sufficient answer to this absurd suggestion. Sir, there are certain items——(Mr A. F. STARK: Necessities.) Sir, my honourable friend Mr. Stark says "necessities" as if the necessities are not included in the taxed list. What about medicines? What about text-books? Text-books in secondary schools are not exempted; only text-books in primary schools have been exempted. It is impossible for an ordinary Bengali no matter to which community he belongs to arrange for the education of his children because of the high prices of text-books. Now what you are proposing here is this: the sale tax will be doubled. The same about medicines. The province is passing through a very critical phase today on account of death due to disease. Medicines are not available and their prices are exorbitant, and the House is deliberately without any stir of emotion whatever going to pass a Bill which will double the sale tax on these essential commodities. Why? The reason is simply because the Government of India says that this taxation must be accepted by the province of Bengal.

Now, Sir, it was pointed out that section 5 of the Sales Tax Act exonerates all sales which are made to the Government of India itself. Why should not that clause be taken out? Why should not the Government of

India be made to pay sale tax for the things which it is purchasing from this province? If you and I purchase these things we shall have to pay sale tax, but when the Government of India comes and purchases them, it will not have to pay sale tax. Sir, the Finance Minister may take us into his confidence as to what is the total extent of the transactions. Very huge it must be. It must be at least a crore of rupees. I do not know the figure for this year, but perhaps it is more now and if that amount could be taxed it would have given you an opportunity to exempt certain other essential commodities. (Dr. NALINAKSHA SANYAL: What about ships' stores?)

I say, therefore, that we should consider this matter from a realistic point of view. It is the common case of both Government and the Opposition that the province is passing through a terrible economic crisis. I will not refer in detail to the sufferings, to the miseries which have fallen on the people of Bengal, but I shall say this that their cup of miseries is full and pray! do not add to it by your deliberate decision to impose new taxation. It is not yet too late to authorise the Finance Minister by the united decision of the Bengal Legislative Assembly to state that Bengal cannot afford to have this new taxation and to send him to the Government of India with this message. If the Government of India insist on doing this, will then you have your machinery also for thwarting such a decision of the Government of India. But I believe, Sir, that the Government of India will not take such an unreasonable attitude. After all, the Government of India has provided this province with crores of rupees, and if it is just a point of principle that some taxation measure must be adopted by this province you can think of some measure which will affect those particular interests which have profited a lot by the war. Find out those particular interests, Indian or European, and tax them, but pray do not tax those who have now even lost the capacity to protest. Perhaps you and I individually sitting in this gilded chamber may not be affected in every direction so far as the operation of this Bill is concerned. But pray do not forget that there will be thousands and lakhs of our fellow brethren Hindus and Muslims belonging to all conditions and classes of society who will find it impossible to bear this additional burden. Place your hands on your heart and if that is your feeling, then accept this moderate suggestion which I have made, namely, postpone final decision on this point, pass it not into law thereby earning the curses of millions of your countrymen but demand it from the Government of India that they should come to the rescue of the province and pay this petty figure of one or one and one-half crores of rupees making it unnecessary for the Bengal Legislative Assembly to pass this Bill into law. (Applause.)

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mr. Speaker, I shall be brief, as usual. (Dr. NALINAKSHA SANYAL: Brevity is the soul of wit.) An honourable member who attempted to speak on this very innocent Bill for three-quarters of an hour yesterday proved to demonstration the futility of such an enterprise by emptying the House not only on the Government side but also in other parts of the House. (Dr. NALINAKSHA SANYAL: You are an expert on empty houses!)

Sir, a remark that startled me very much was to the effect that this measure would help inflation that it would be an inflationary measure. Sir, I do not accept the view which is apparently held by some people in high places that any and every measure of taxation is an anti-inflationary or counter-inflationary measure; but I do feel with regard to the sales tax that it is definitely counter-inflationary measure. As I said briefly yesterday, many of the great countries of the world, during the last war and mostly since the last war, adopted the sales tax as a permanent feature of their fiscal system, mainly as counter-inflationary measure. After all, it will not be denied, because experience has been horrible, that there is an enormous amount of new purchasing power floating about. As I said on a previous occasion the difficulty of the situation arises from the fact that this abnormal purchasing power is lodged in only a few places, that it is very unevenly distributed. But the fact that we are imposing a sales tax—call it a sales tax or a purchase tax; in the United Kingdom it is called a purchase tax—we are only taxing the surplus purchasing power; and I, therefore, definitely hold that this is a counter-inflationary measure. Provided that we do not touch the absolute necessities of the poor man's life, I hold that this tax can be defended in argument.

Then, there was a remark made that we should have earmarked the proceeds of this tax for some nation-building purposes. If I have not taken down my honourable friend Mr. Sasanka Sekhar Sanyal's words accurately, he will kindly correct me. He said: "taxation can be allowed only when it is earmarked for a purpose". Sir, that definitely is bad finance. You cannot earmark proceeds of different taxes which go to make up your revenue for particular purposes and I need not dilate on the subject, except to say again that earmarking is bad finance.

A quotation was made from the Hon'ble Mr. H. S. Suhrawardy's speech which he delivered when he introduced the original Bengal Sales Tax Bill in 1941. I heard the words carefully and there was nowhere a commitment that the proceeds of the sales tax would be earmarked for a particular purpose.

Last year and in the coming year the total amount spent or to be spent for saving the nation, i.e., for nation-saving purposes, is much higher, several times higher, than the amount which we are likely to realise from the sales tax and it is on account of the necessity of incurring this large expenditure that we have had to come forward with this Bill. (Dr. NALINAKSHA SANYAL: Save us, oh, Lord!)

Sir, I am grateful to my illustrious predecessor for a valuable suggestion. He has reminded me that I should approach the Government of India for assistance. We *have* approached the Government of India for assistance, and we *are* asking them for this assistance. I am not in a position yet to state what measure of assistance we are likely to receive from the Centre. The whole matter is in the state of negotiations, and I hope the House will forgive me if I do not at this stage speak at length on the negotiations.

Dr. NALINAKSHA SANYAL: Why not wait till the negotiation is over?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: The question of a tax on the Government of India purchases has been raised. I have deliberately deferred consideration of this in view of our negotiations with the Government of India for a general assistance. Every argument, every figure, that we can adduce in support of our claim will be used, and it is fortunate that all sections of the House are agreed that the Government of India should come to the assistance of Bengal. I do not know if it will be possible for me to make an announcement before my budget statement or even in my budget statement but I assure you that every effort is being made to convince the Government of India. They are convinced up to a point——

Rai HARENDRA NATH CHAUDHURI: After you have been sacrificed!

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: They have been convinced up to a point that our claim is a just one.

Then, there is one other point that requires notice and that is with regard to the exemption clause which we have introduced in our Bill. We were told yesterday that what we were giving by one hand we are trying to take away by another. That is not correct. The fact is that we use more mill-made cloth than hand-made cloth and we have to exempt the poor man's cloth. In giving exemption to all handloom-woven cloth we run the risk of exempting from taxation Benarasi *saree* and expensive Dacca *sarees*.

Mr. JOGESH CHANDRA GUPTA: What about inexpensive Dacca *dhotis*?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I am coming to that. The rule-making power which we have sought would empower us to allow a preference in favour of handloom-woven cloth. For instance, if we make a difference in the upper limit of exemptions we can definitely guarantee a preference for handloom-woven cloth. That we can do in our rules. I cannot, however, commit myself to figures at this stage But I should consider the case very carefully in making the rules and I think I am in a position to say that a preference will be made in favour of handloom-woven cloth.

Sir, I will not repeat my appeal of yesterday. This is really a harmless measure. It does not really affect the people to any large extent Even with inflated prices it would appear that there are people who are able to pay those prices. Therefore I don't think that any additional hardship will be caused by the doubling of the sales tax on goods other than those which are absolute necessaries. If we look at it dispassionately we would realise that it is necessary to strengthen the finances of Bengal before we embark on borrowing. The quotation which my honourable friend Dr. Mookerjee made from Sir Jeremy Raisman's last budget statement is

good so far as India is concerned, for, after all, India's credit is incomparably greater than ours. Before we are forced to embark on a borrowing policy we must strengthen our finances by taxation as much as possible.

Rai HARENDRA NATH CHAUDHURI: And recover our credit!

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: There is a danger that if we go on borrowing we shall saddle Bengal with a debt which will mean recurring interest charges and which will be again a burden on the revenues. Therefore, pray, don't force me from this Assembly to embark swiftly on a borrowing programme. I know that we shall have to borrow; in fact we have borrowed from the Government of India and from the public already to a very large extent. I gave you some indication of this in my last budget speech. I think that in my next budget speech you will get more details and the figures will be even more staggering. But for floating public loans I feel some diffidence. Strengthen my hands and I will not hesitate to borrow.

The motion that the Bengal Finance (Sales Tax) Amendment Bill, 1944, be circulated for the purpose of eliciting opinion thereon was then put and a division taken with the following result:—

AYES—63.

Abdul Waheed, Maulvi.
Abdur Rezzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Aslmuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. P.
Barat Ali, Mr. Md.
Bhawmik, Dr. Gobinda Chandra.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Radhanath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Edbar, Mr. Upendranath.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Gupta, Mr. Jogesh Chandra.
Habibullah, Nawab Bahadur K., of Dacca.
Hasan Ali Chowdhury, Mr. Syed.
Hashem Ali Khan, Khan Bahadur Maulvi.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Maji, Mr. Adwaita Kumar.
Mandal, Mr. Birat Chandra.
Maniruzzaman Islamabadi, Maulana Md.
Mookerjee, Dr. Syamaprasad.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Mullick, Srijut Ashutosh.
Nandy, Maharaja Srischandra, of Cossimbazar.
Naskar, Mr. Hem Chandra.
Paul, Sir Hari Sankar.
Poddar, Mr. Anandilal.
Rahman Khan Bahadur A. M. L
Ramizuddin Ahmed, Mr.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy Mr. Patiram.
Sanaullah, Dr.
Sanyal, Dr. Nalinaks a.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Sen-Gupta, Mrs. Nellie.
Shaheda'i, Mr.
Shamsuddin Ahmed, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sinha Srijut Manindra Bhusan.
Sur, Mr. Narendra Kumar.
Wahiar Rahman, Maulvi.
Zaman, Mr. A. M. A.

NOES—36.

Abdul Aziz, Maulana Md.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.

Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Rahaman, Khan Bahadur A. F. M.
Abdur Rashid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdus Shahood, Maulvi Md.
Abul Fazl, Mr. Md.
Abul Hosain Ahmed, Mr.
Abul Masud, Kazi.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Altaruddin Ahmed, Khan Bahadur Maulvi.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Barma, the Hon'ble Mr. Premhari.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Manmohan.
Dass, Babu Debendra Nath.
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D.
Goswami, the Hon'ble Mr. Tulsi Chandra.
Gupta, Mr. J. N.
Gurung, Mr. Dambar Singh.
Hafizuddin Chaudhuri, Maulvi.
Haywood, Mr. Rogers.
Hirtzel, Mr. M. A. F.
Hodge, Mr. H. Rowan.
Jalaluddin Ahmad, the Hon'ble Khan Bahadur Maulvi.
Jazimuddin Ahmed, Khan Sahib Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kumar, Mr. Atul Chandra.
Leisk, Mr. John.
McGregor, Mr. G. G.
Mcpherson, Mr. G. P.
Mafizuddin Ahmed, Maulvi (Tippera).
Mandal, Mr. Amulya Lal.
Mandal, Mr. Banku Behari.
Mondal, Mr. Jagat Chandra.
Mandal, the Hon'ble Mr. Jogendra Nath.
Mohammed Ali, Khan Bahadur.
Moslem Ali Mollah, Maulvi M.
Muhammad Ishaque, Maulvi.
Muhammad Israil Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjee, the Hon'ble Mr. Tarak Nath.
Mullick, Mr. Mukunda Behary.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruf Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustaqawai Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir.
Noorudden Mr. K.
Pain, the Hon'ble Mr. Barada Prosanna.
Powell, Mr. J. A.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja.
Smart, Mr. J. N.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Skipwith, Mr. W. E.
Stark, Mr. A. F.
Suhrawardy, the Hon'ble Mr. H. S.
Smyth-Osbourne, Mr. D. G.
Tamizuddin Khan, the Hon'ble Mr.
Thakur, Mr. Pramatha Ranjan.
Thorman, Mr. O. M.
Walker, Mr. J. R.
Walker, Mr. W. A. M.,
Whitehead, Mr. R. B.
Wordsworth, Mr. W. C.
Yusuf Ali Choudhury, Mr.
Zihur Rahman Shah Choudhury.

The Ayes being 63, and the Noes 90, the motion was lost.

Adjournment.

The House was then adjourned at 6-25 p.m. till 3-30 p.m. on Friday, the 4th February, 1944, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 4th February, 1944, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI) in the Chair, 11 Hon'ble Ministers and 168 members.

Want of quorum.

Babu NARENDRA NARAYAN CHAKRABARTY: স্যার, বোধ হয় quorum নাই।

(After counting, quorum having been found.)

Mr. SPEAKER: There is quorum.

Point of information.

Dr. NALINAKSHA SANYAL: Sir, may I invite your attention to a very serious malpractice that is being practised by some members of the Government Party. My esteemed friend Rai Bahadur Jogesh Chandra Sen, a Whip of the Nationalist Party, was himself approached by one of the members and asked not to enter the room and some of these members were determined to have the quorum dropped down. If that practice is followed, I submit it is one of the most objectionable practices that can be conceived of to prevent the rights and privileges of this House being enjoyed and in that event, it will be our privilege to submit to you not to permit the House to be adjourned for want of quorum.

Khan Bahadur MOHAMMED ALI: This is absolutely incorrect. If Government had wanted to prevent the House from having a quorum, all of us would have walked out and there would have been no quorum. The very fact that we are present here shows that we want the House to continue.

Dr. NALINAKSHA SANYAL: The Whip of a party was himself approached——

Khan Bahadur MOHAMMED ALI: As usual, Dr Sanyal's charges are always unfounded.

Mr. FAZLUR RAHMAN: We know that it is the usual practice of Dr. Sanyal to reflect on ——

Mr. SPEAKER: Order please, that is another matter.

Dr. NALINAKSHA SANYAL: The statement of the Rai Bahadur is much more dependable than yours——

Mr. SPEAKER: Dr. Sanyal, will you please resume your seat? You raised a very important point no doubt, but at the same time the best course

would have been for the Rai Bahadur to raise it because he knew the facts better. However, when you have raised it, I think I should say what I consider fit on this occasion. Now, there appears to have been a misconception even with regard to your objection. I do not remember exactly and if I am incorrect, I may be corrected. You have referred that steps are being taken by the Government side to induce members——

Dr. NALINAKSHA SANYAL: No, Sir, members of the Government Party.

Mr. SPEAKER: Members of the Government Party—this was a generalisation which I am afraid might not have been justified on the statement that was made to you by the Rai Bahadur and to which you refer in your next sentence that one member approached the Rai Bahadur. If one member approached the Rai Bahadur, that member may himself be responsible and he may be interested, but from that it cannot be inferred that members of the Government Party have resorted to a certain objectionable course of action. Therefore, I would request you, before you make a statement of this nature before this House, to be sure of your facts and to be a little more accurate in your expression.

Dr. NALINAKSHA SANYAL: I submit, Sir, that I would not have raised this point at all. As a matter of fact the Rai Bahadur and myself were discussing this question when we found very surprisingly and suggestively one very important member of the Government Party raising suddenly the question that the House has lost its quorum. The two things came together, and I put it to you, Sir, and I would ask your favour to make an enquiry into the matter. This is a matter which can very well be referred to the Privileges Committee.

Babu NARENDRA NARAYAN CHAKRABARTY : আমার সম্বন্ধে বলা হয়েছে কাজেই আমাকে কিছু বলতে হবে।

Mr. SPEAKER: Will you resume your seat? I will allow you to speak later on. Rai Bahadur, what actually happened?

Rai JOGESH CHANDRA SEN Bahadur: It was just when I was passing by that corridor one of my esteemed friends approached me and said "don't go inside; there will be no quorum". I came just to speak to Dr. Sanyal about this matter when he got up and spoke. There was a large number of members waiting outside.

Babu NARENDRA NARAYAN CHAKRABARTY : স্যার, আপনাকে বলবার আগে পরিষদের অবস্থা দেখে আমার মনে হয়েছিল যে কোরাম হয়তো নাই। সেটা আপনার দৃষ্টিতে আনবার জন্য আমি বোধ হয় কোন অন্যায় করিনি। তার পরে আমার বন্ধু নলিনাক্ষ সান্যাল যে insinuationটা এনেছেন সেটা না আনলেই ভাল করতেন। আমি যা কোরেছি সেটা হচ্চে শুধু পরিষদের অবস্থাটা আপনার গোচর করা এবং সেটা করার জন্য বোধ করি আমার কিছু অন্যায় হয় নাই।

Mr. SPEAKER: Certainly you have done nothing wrong. There is no doubt about it. Now let us proceed with the business. I will consider that matter later on.

STARRED QUESTIONS

(to which oral answers were given)

Payment of compensation to evacuees owning cultivated lands in Feni.

***45. Mr. HARENDRA KUMAR SUR:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state the amount of compensation awarded or proposed to be awarded to the evacuees for every acre of cultivated lands acquired by the Government for military purpose—

(*i*) within the jurisdiction of Feni police-station—

(1) for the *aman* crops of 1942;

(2) for the *aus* crops of 1943;

(3) for the *aman* crops of 1943; and

(*ii*) within the jurisdiction of Union No. XIV Faradnagar, police-station Feni, Union No. XIII Fazilpur, police-station Feni—

(1) for the *aus* crops of 1942;

(2) for the *aman* crops of 1942;

(3) for the *aus* crops of 1943; and

(4) for the *aman* crops of 1943?

(*b*) Will the Hon'ble Minister be pleased to state the average price of—

(*i*) paddy, and

(*ii*) rice

per maund prevailing in the areas referred to in (*a*) (*i*) showing separately for the months of—

(1) June to August, 1942;

(2) November, 1942, to February, 1943; and

(3) June to August, 1943?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Tarak Nath Mukerjea): (*a*) (*i*) (1) Rs. 50 In addition the tenants were allowed to cultivate the lands.

(2) and (3) Rs.150 for each crop.

(*ii*) (1) and (2) Rs.50 for each crop.

(3) and (4) Rs.150 for each crop.

(*b*) (*i*) (1) Rs.2-14 to Rs.3-5.

(2) Rs.4-8 to Rs.6-6.

(3) Rs.11-14 to Rs.10-11.

(*ii*)(1) Rs.7-4 to Rs.8-7.

(2) Rs.11-7 to Rs.16.

(3) Rs.35-8 to Rs.32.

Cyclone in Midnapore and 24-Parganas.

*46. **Babu NAGENDRA NATH SEN:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the Table a statement showing separately and under different heads the various amounts spent for relief works in Midnapore and 24-Parganas districts?

(*b*) Will the Hon'ble Minister be pleased to state the estimated loss of each subdivisions of Midnapore and 24-Parganas districts of (1) men, (2) cattle, (3) house, and (4) crops?

(*c*) Will the Hon'ble Minister be pleased to state whether it is a fact that the Subdivisional Officer of Tamluk was approached by the Chairman of the local Municipality or any other gentlemen, who requested him to relax the curfew order to enable people to move about and to find shelter in safer places?

(*d*) Will the Hon'ble Minister be pleased to state the magnitude and extent of the cyclone and the tidal wave?

(*e*) Will the Hon'ble Minister consider the desirability of laying a copy each of the first reports of the Subdivisional Officers to the Government about the catastrophe?

(*f*) Will the Hon'ble Minister be pleased to state whether the District Magistrate of Midnapore and the Subdivisional Officers had taken any steps to provide relief?

(*g*) If so, from what date, and the nature of the reliefs given?

(*h*) Will the Hon'ble Minister be pleased to state whether—

(1) the District Magistrate of Midnapore called for any aid from outside; and

(2) outsiders were prevented from entering the district of Midnapore?

(*i*) Is it a fact that—

(1) philanthropic organisation leaders producing their credentials were prohibited to do relief work, some of them were sent to jail;

(2) a report in writing was received by Government from one officer that relief whether organised by Government or any other private agency should be withheld for a month; and

(3) the Press Censor issued an order prohibiting the publication of any news or reference to this catastrophe?

The Hon'ble Mr. TARAK NATH MUKERJEA: (*a*) A statement is laid on the Table.

(*b*)

		Midnapore.	24-Parganas.
Men	..	14,355	1,390
Cattle	..	186,582	23,743
Huts	..	422,956	25,201
Crops	..	Worth about Rs.11 crores.	Worth about Rs.83 lakhs.

(*c*) The Chairman of the Tamluk Municipality saw the Subdivisional Officer on the subject and he was told that the curfew order would automatically be relaxed.

(*d*) The magnitude may be judged from the figures in (*b*) above. The entire district of Midnapore was more or less affected, the subdivisions of Contai and Tamluk being affected most. In 24-Parganas, the whole of Sagore police-station, the entire Maisini Island in Kakdwip police-station, a strip of about 3 miles in the mainland of Kakdwip police-station and a portion of Kulpi police-station, were affected.

(*e*) The Subdivisional Officers did not send reports direct to Government.

(*f*) and (*h*)(1) Yes.

(*g*) From 17th October, 1943, in the form of casual doles of rice and giving food and shelter to those rendered homeless. Regular relief was however started from 21st October, 1942.

(*h*)(2) No.

(*i*)(1) Philanthropic organisations producing credentials were not prohibited to do relief work but in order to prevent overlapping they were asked to work in different allotted places. None of them was sent to jail, but one was arrested by mistake in a house which was raided in search of a person accused of sabotage but was released on bail and subsequently discharged.

(2) Government are not prepared to discuss on the floor of the House any confidential correspondence that may have passed between the District Officer and Government. As a matter of fact, distribution of gratuitous relief was started at several thanas and other convenient centres in the cyclone-affected areas immediately after the cyclone

(3) (This is a question with which the Home Department is concerned.)

Statement referred to in reply to clause (a) of starred question No. 46.

District.	Head of relief.	Expenditure up to 31st August, 1943.
Midnapore ..	(1) Gratuitous relief	
	(*a*) In cash	About Rs.38 lakhs
	(*b*) In kind	About Rs.72 lakhs
	(2) Agricultural loan—	
	(*a*) Ordinary agricultural loans	.. Over Rs.69 lakhs.
	(*b*) Seed loans	.. About Rs.15 lakhs.
	(*c*) Loans to jotedars and talukdars	.. About Rs.3 lakhs.
	(*d*) Business loans	.. About Rs.1½ lakhs
	(*e*) Land Improvement loan	.. Rs.25,000.
	(3) Test relief	.. About Rs.65 lakhs.
	(4) Relief to weavers	.. Over Rs.50,000.
24-Parganas (Diamond Harbour).	(1) Gratuitous relief—	
	(*a*) In cash	.. Rs.1,293.
	(*b*) In kind—	
	(*i*) Rice	.. 42,395 maunds.
	(*ii*) Paddy	.. 14,301 maunds.
	(*iii*) Cloth	.. 6,181 pairs.
	Frocks	.. 104 dozens.
	Marjai	.. 581 pieces.
	Hessian	.. 10,000 yards.
	Barley	.. 100 maunds and 500 tins.
	Sati	.. 2 maunds and 23 tins.
	Sago	.. 1 maund and 13 tins.
	(2) Agricultural loans	.. Rs.5,10,000.
	(3) Seed loans	.. 14,469 maunds.
	(4) Business loans	.. Rs.80,000.
	(5) Test relief—Ordinary test relief	.. Rs.2,400.
	Embankment repairs	.. Over Rs.3 lakhs.
	(6) Relief to weavers	.. Rs.252.

Areas affected by flood in Midnapore and Government steps for relief.

*47. **Mr. NIKUNJA BEHARI MAITI:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(a) the extent of different areas affected in the district of Midnapore by the recent floods;

(b) the extent of damages done to the crops in these areas; and

(c) the steps taken by the Government to help the people in these areas?

The Hon'ble Mr. TARAK NATH MUKERJEA: (a)—

	Sq. miles.
Contai ...	140
Tamluk ...	555
Sadar (South) ...	117·49
Ghatal ...	10
Sadar (North) ...	23
Jhargram ...	28
Total ...	373·49

(b) (i) *Contai subdivision.*—Vegetables were damaged to the extent of 12 annas. In about 80 square miles crops were either damaged or destroyed.

(ii) *Tamluk subdivision.*—Crops in about 25,600 acres of land damaged.

(iii) *Ghatal subdivision.*—Crops in 665 acres of land damaged.

(iv) *Jhargram subdivision.*—The *aus* paddy of about 2,000 bighas has been destroyed to the extent of 50 per cent. The *aman* paddy has also been damaged to the extent of 4 annas.

(v) *Sadar South subdivision.*—Crops in 26,688 bighas of land damaged.

(vi) *Sadar North subdivision.*—50 per cent. crops in 600 bighas damaged.

(c) Immediate arrangements were made to give relief in food and clothes to the people of the affected areas. Temporary arrangements were also made to give shelter to the homeless people by erecting *hogla* sheds on high lands, roads, embankments and schools.

Gratuitous relief and agricultural loan in cash and seeds are being distributed.

Many free kitchens have been opened all over the district—the number based on reports received up to 22nd September, 1943, being as follows:—

Contai ...	519
Tamluk ...	157
Ghatal ...	18
Jhargram ...	9
Sadar (North) ...	14
Sadar (South) ...	54
Total ...	771

Amount spent for relief and loan in flood-affected areas of Tamluk and Contai.

*48. **Dr. GOBINDA CHANDRA BHOWMIK:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state the amount of money that has up to date been spent by the Government as—

(*i*) gratuitous relief,

(*ii*) test relief,

(*iii*) agricultural loans and other loans,

in the Tamluk and Contai flood-affected areas?

(*b*) Whether the Government have received any complaints as to corruptions prevailing amongst the officers engaged in relief duties?

(*c*) If the answer to (*b*) be in the affirmative, will the Hon'ble Minister be pleased to state if any action has been taken thereon?

(*d*) How long the gratuitous relief work will continue there?

The Hon'ble Mr. TARAK NATH MUKERJEA: (*a*) (*i*)—

Contai.

		Rs.
Cash	..	28,12,000
Kind	...	24,66,150

Tamluk.

		Rs.
Cash	...	9,70,115
Kind	...	40,74,710

(*ii*)

Contai	...	35,65,800
Tamluk	...	29,15,768

(*iii*) Contai

		Rs.
Agricultural loans including house-building, maintenance, cultivation and cattle purchase	...	30,43,289
Seed loan	...	14,57,500
Business loan	...	71,585
Jotedars and talukdars loans	...	47,793

Tamluk.

		Rs.
Agricultural loans for house-building, cattle purchase and maintenance	...	28,01,467
Business loan	...	72,825
Jotedari loan	...	2,14,543
Land improvement loan	...	25,000

(*b*) and (*c*) Some complaints were received from time to time and suitable action was taken in all cases where the complaints were found to be correct.

(*d*) As long as the circumstances warrant.

Dr. GOBINDA CHANDRA BHOWMICK : মাননীয় মন্ত্রী মহাশয় কি অনুগ্রহ করে বোলবেন যেসব agricultural loan দেওয়া হয়েছে তমলুক ও কাঁথী subdivisionএ তা আদায়ের ব্যবস্থা হচ্চে কিনা ?

The Hon'ble Mr. TARAK NATH MUKHERJEA : হাঁ, হচ্চে।

Dr. GOBINDA CHANDRA BHOWMICK : মাননীয় মন্ত্রী মহাশয় অনুগ্রহ কোরে বোলবেন কি কাদের কাদের দেবার মত অবস্থা আছে সেটা আগে খবর নেবার ব্যবস্থা হয়েছে কি ?

The Hon'ble Mr. TARAK NATH MUKERJEA : নিশ্চয়ই।

Amount spent on relief measures in Sadar, Contai and Tamluk subdivisions in Midnapore district.

***49. Mr. KRISHNA PRASAD MANDAL:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the Table a statement showing the actual amount spent for the distressed people in each of the subdivisions of—

(*a*) Sadar,
(*b*) Contai, and
(*c*) Tamluk

in Midnapore district on account of—

(*i*) medical relief;
(*ii*) prevention of epidemic;
(*iii*) supply of drinking water;
(*iv*) sheltering of the homeless;
(*v*) test relief *per capita;*
(*vi*) gratuitous relief per head—
(1) for food, and
(2) for house construction,
(*vii*) agricultural loan per head, and
(*viii*) any other matter

in consequence of the last cyclone on the 16th October, 1942?

The Hon'ble Mr. TARAK NATH MUKERJEA:

(*a*) Sadar.	(*b*) Contai.	(*c*) Tamluk.
(*i*) Nil ..	About Rs.1½ lakhs ..	About Rs.1½ lakhs.
(*ii*) Nil ..	Figures not available.	
(*iii*) Nil ..	About Rs.2 lakhs ..	About Rs.2 lakhs.
(*iv*) About Rs. 5·89 lakhs ..	Over Rs.16 lakhs ..	About Rs.14 lakhs.
(*v*) to (*vii*) Figures not readily available.		
(*viii*) Seed loan— 4,500 mds. ..	73,000 mds. ..	72,000 mds.
Business loan—	About Rs.72,000 ..	About Rs.73,000.
Relief to weavers— ...	About Rs.71,000 .	Over Rs 79,000.

Apart from the above over Rs.8 lakhs have been sanctioned for relief of fishermen, educational institutions and for encouraging salt manufacture.

Expenditure for relief in Midnapore.

*50. **Mr. SIBNATH BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state with regard to the cyclone in the Midnapore district—

(*i*) the total sum spent in gratuitous relief; and

(*ii*) the number of persons and families amongst whom the relief has been distributed?

(*b*) Will the Hon'ble Minister be pleased to state the amounts spent for—

(*i*) doles,

(*ii*) clothings,

(*iii*) children's food,

(*iv*) fodder for cattle,

(*v*) provision for drinking water, and

(*vi*) provision for temporary shelters?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) the average number of persons receiving doles every week;

(*ii*) the maximum of such number in a week;

(*iii*) the total up to date;

(*iv*) the average number of children receiving food every week;

(*v*) the maximum of such number in a week;

(*vi*) the total up to date;

(*vii*) the average number of cattle receiving fodder every week; and

(*viii*) the total up to date?

(*d*) Will the Hon'ble Minister be pleased to state—

(*i*) the number of relief centres managed and financed entirely by the Government;

(*ii*) the number of relief centres, if any, partly financed by the Government;

(*iii*) the number of medical relief centres opened;

(*iv*) the number of doctors engaged in relief work;

(*v*) the amount spent in medical relief; and

(*vi*) whether the local self-governing bodies, viz., the district board and the municipalities are supplementing the Government in their help to the affected persons and if so, in what manner?

The Hon'ble Mr. TARAK NATH MUKERJEA: (*a*) (*i*) About Rs.110 lakhs up to the end of August, 1943.

(*ii*) Persons over 8,610,000 } In terms of man or family week doles.
Families over 283,000 }

(*b*)(*i*) About Rs.66 lakhs in rice and paddy. About Rs.38 lakhs in cash doles.

(*ii*) About Rs.5 lakhs.

(*iii*) About Rs.3 lakhs.

(*iv*) and (*vi*) Nil.

(*v*) About Rs.4 lakhs.

(*c*)(*i*) Over 215,000.

(*ii*) About 326,000.

(*iii*) Over 8,610,000.

(*iv*) About 39,000.

(*v*) About 42,000.

(*vi*) Over 1,542,000.

(*vii*) Nil.

(*viii*) Does not arise.

(*d*) (*i*) 139.

(*ii*) 14.

(*iii*) 55.

(*iv*) 76.

(*v*) About Rs.3 lakhs.

(*vi*) The District Board have supplemented Government help in the following ways:—

(1) by deputing sanitary staff;

(2) by repairing and re-sinking some tube-wells;

(3) by starting test relief work on a few roads in the affected areas. The municipality of Midnapore rendered no material help in giving relief to the affected persons.

Steps taken by Government to alleviate miseries of people of Midnapore.

*51. **Mr. NIKUNJA BEHARI MAITI:** With reference to the answer given to starred question No. 118 on the 8th March, 1943, will the Hon'ble Minister in charge of the Revenue Department be pleased to state what further actions have so far been taken—

(*a*) in continuation of the measures stated therein;

(*b*) in fulfilment of the assurances and hopes given therein; and

(*c*) besides those mentioned in clauses (*a*) and (*b*) above?

The Hon'ble Mr. TARAK NATH MUKERJEA: (*a*) The following further relief has been given since 20th February, 1943:—

(*i*) Gratuitous relief—

		Rs.
In cash	...	47,90,000
In kind about	...	46,00,000
(*ii*) Agricultural loans	...	49,25,650
(*iii*) Test relief	...	67,71,700

(*b*) (*i*) Government sanctioned in scheme of assisting local weavers by repairing or replacing looms and by making advances of the yarn required by them.

(*ii*) 130,000 maunds of paddy seeds were collected and sent for supply to cultivators.

(*c*)(*i*) A sum of Rs.6,79,000 was sanctioned by way of helping the educational institutions affected by cyclone to repair buildings, purchase equipments, and to pay the salaries of teaching staff.

(*ii*) To enable the destitute fishermen to purchase nets and carry on their profession, Government have sanctioned a free grant of Rs.10,000 and a loan of Rs.1,26,000.

Amount sanctioned for relief in Mulagram Union, Tippera.

*52. **Mr. MAQBUL HOSSAIN:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether Government have sanctioned any amount for the famine-stricken people of Mulagram Union, police-station Kasba, in the district of Tippera, from the 1st July to 15th September, 1943, by way of—

(*i*) agricultural loan;

(*ii*) test relief;

(*iii*) gratuitous relief;

(*iv*) *gram* feeding; and

(*v*) for distribution of standard cloth?

(*b*) If so, will the Hon'ble Minister be pleased to state whether any amount so sanctioned has yet been spent up till now?

(*c*) If so—

(*i*) what is the amount spent; and

(*ii*) how the expenditure was made?

(*d*) Is the Hon'ble Minister aware that many people of Mulagram Union are starving?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state whether Government are considering the desirability of sanctioning a large amount to relieve the distress?

(*f*) If so, will the Hon'ble Minister be pleased to state the amount thereof?

The Hon'ble Mr. TARAK NATH MUKERJEA: (*a*)(*i*) and (*v*) Nil.

(*ii*) Rs.3,000.

(*iii*) and (*iv*) Rs.1,400.

(*b*) Yes.

(*c*) (*i*) Rs.1,782-13 on test relief work and about Rs.800 for gratuitous relief.

(*ii*) Mainly on water-hyacinth clearance scheme under test work and on gruel kitchen under gratuitous relief.

(*d*) There is scarcity in many parts of the Province and this area is no exception.

(*e*) Funds are being allotted according to necessity.

(*f*) This would depend on the needs.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us if gruel kitchens are still going on or they have been stopped?

The Hon'ble Mr. TARAK NATH MUKERJEA: They have been closed, I believe.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware that there is still scarcity and people are still starving?

The Hon'ble Mr. TARAK NATH MUKERJEA: I have no detailed information.

Petition to Subdivisional Officer, Brahmanbaria, for relief.

*53. **Mr. MAQBUL HOSSAIN:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether some hungry and starving persons of Raitala, police-station Kasba, in the district of Tippera, submitted a petition to the Subdivisional Officer, Brahmanbaria, Tippera, this year to arrange work for them for the relief work and gratuitous relief?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, Government have taken on it?

The Hon'ble Mr. TARAK NATH MUKERJEA: (*a*) A petition was filed by some persons.

(*b*) Immediately on receipt of the petition, the Subdivisional Officer wrote to the District Magistrate and District Engineer for continuing test relief work and more money was allotted for the purpose.

A gruel kitchen has been started there on 28th August, 1943, and Rs.1,400 has been allotted for the purpose.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state whether the gruel kitchen in this case also has been stopped?

The Hon'ble Mr. TARAK NATH MUKERJEA: I cannot tell you definitely but so far as my information goes it has been closed down.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to consider the desirability of continuing the gruel kitchen in view of the fact that the people in that area are still starving?

The Hon'ble Mr. TARAK NATH MUKERJEA: I am prepared to enquire into the matter but unless a definite enquiry is made I cannot say anything definitely.

Compensation paid to Aminabad High English School in village Nababpur of Noakhali.

*54. **Mr. HARENDRA KUMAR SUR:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact that—

(*i*) the village of Nababpur within the jurisdiction of Union No. V Amirabad, police-station Shonagazi, district Noakhali, was evacuated in April, 1942;

(*ii*) thereafter the order of evacuation was released in October, 1942;

(*iii*) Amirabad High English School situated in village Nababpur was also evacuated; and

(*iv*) it was released at the same time?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether it is a fact that after release compensation known as "costs of replacement" has been awarded to the evacuees, referred to in (*a*) (*i*)?

(*c*) Is it a fact that the compensation referred to in (*b*) has been awarded for—

(*i*) mud-walled buildings with corrugated iron-sheet roofings and wooden doors and windows at the rate of Rs.2-8 per square foot;

(*ii*) buildings with corrugated iron-sheet roofings and bamboo-mat walls at the rate of Re.1-8 per square foot; and

(*iii*) other thatched huts at the rate of Re.1 per square foot?

(*d*) Is it a fact that—

(*i*) no compensation has been awarded to the Amirabad High English School; and

(*ii*) the Secretary of the Amirabad High English School submitted petition No. 30/EM-43, dated the 3rd February, 1943, by way of appeal to Mr. Pramatha Nath Banerjee, the then Hon'ble Minister in charge of Revenue, for according the same treatment to the school as has been meted out to other evacuees of the Nababpur village?

(*e*) Will the Hon'ble Minister be pleased to state whether—

(*i*) the District Inspector of Schools, Noakhali, submitted any report as to the amount of compensation on account of financial loss sustained by the said school as a result of evacuation; and

(*ii*) the officers of the Land Acquisition Department deputed by the Government held any enquiry into the matter?

(*f*) If so, whether they have submitted any report as to the amount of compensation to be awarded to the said school?

The Hon'ble Mr. TARAK NATH MUKERJEA: (*a*)(*i*) Yes, on 4th April, 1942.

(*ii*) Yes, but the village was relinquished on 10th December, 1942.

(*iii*), (*iv*), (*b*), (*d*)(*ii*) and (*e*)(*i*) Yes.

(*c*)(*i*) At Rs.2 per square foot and not Rs.2-8.

(*ii*) At Re.1-4 per square foot for *ekchala* houses and at Re.1-8 for *dochala* or *charchala* houses.

(*iii*) At 8 annas per square foot for thatched huts with bamboo walls and at Re.1 per square foot for those with mud walls.

(*d*) (*i*) No. A sum of Rs. 320 on account of removal cost and rent at the rate of Rs.100 per mensem for the entire period of requisition was paid to the school.

(*e*)(*ii*) and (*f*) No officer of the Land Acquisition Department was deputed, but a local enquiry was held by a Sub-Deputy Collector, deputed by the Subdivisional Officer and on the basis of his report Rs.320 was sanctioned for the removal cost and a monthly rent of Rs.100 was paid as the equitable rent for the school building.

Mr. HARENDRA KUMAR SUR: Will the Hon'ble Minister be pleased to state why a discrimination has been made in the matter of awarding compensation to evacuees who are individuals and to evacuees in the shape of public institutions?

The Hon'ble Mr. TARAK NATH MUKERJEA: I cannot follow what he actually drives at, but I can assure him that no discrimination has been made. These awards were made according to rules.

Mr. HARENDRA KUMAR SUR: Will the Hon'ble Minister be pleased to state whether evacuees in the village of Nababpur have been awarded compensation at the rate of Rs. 2 per square foot in respect of their mud-walled buildings with corrugated iron-sheet roofings?

The Hon'ble Mr. TARAK NATH MUKERJEA: I cannot follow the question.

Mr. HARENDRA KUMAR SUR: Will the Hon'ble Minister be pleased to state whether the evacuees of the village Nababpur have got their replacement cost of huts at the scheduled rate?

The Hon'ble Mr. TARAK NATH MUKERJEA: I am sure they have, but if details are wanted I want notice.

Mr. HARENDRA KUMAR SUR: Will the Hon'ble Minister be pleased to state whether the replacement cost of buildings awarded to the Amirabad High School was at the same rate?

The Hon'ble Mr. TARAK NATH MUKERJEA: I do not know what the rate is but this much I am certain that due compensation has been given for removing the school.

Mr. HARENDRA KUMAR SUR: Will the Hon'ble Minister be pleased to state if an individual had been in occupation of the premises of the Amirabad High English School what would have been the amount of compensation given?

Mr. SPEAKER: That is a hypothetical question.

Mr. HARENDRA KUMAR SUR: Will the Hon'ble Minister be pleased to state whether the principles enunciated in the Land Acquisition Act or the Defence of India Rules have been followed in the matter of awarding compensation to the school?

The Hon'ble Mr. TARAK NATH MUKERJEA: I could not follow what the honourable member wants to know.

Mr. HARENDRA KUMAR SUR: Will the Hon'ble Minister be pleased to state whether Government took into consideration the economic loss sustained by the High School as a result of evacuation?

The Hon'ble Mr. TARAK NATH MUKERJEA: If a representation is made Government will take that into consideration.

Family allowance of Babu Sushil Chandra Bhattacharya, a security prisoner.

***55. Mr. JNANENDRA CHANDRA MAJUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether—

(*i*) Babu Sushil Chandra Bhattacharyya of village Chunta, police-station Sarail, district Tippera, is being detained as a security prisoner under the Defence of India Rules in the Fatagarh Central Jail in United Provinces; and

(*ii*) his present detention is at the instance of the Bengal Government?

(*b*) Is the Hon'ble Minister aware that—

(*i*) he has been granted no family allowance as yet; and

(*ii*) his family members are on the verge of starvation?

(*c*) If the answer to (*b*) is in the negative, is the Hon'ble Minister considering the desirability of granting him a family allowance?

(*d*) If the answer to (*b*) is in the negative, is the Hon'ble Minister considering the desirability of recommending to the United Provinces Government for granting him a family allowance?

(*e*) If the answers to (*c*) and (*d*) are in the negative, will the Hon'ble Minister be pleased to state the reasons thereof?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) and (*b*) I have no information except that the security prisoner is detained by the United Provinces Government with the concurrence of the Government of India.

(*c*) and (*d*) No.

(*e*) The grant of family allowance to the security prisoner is a matter for the United Provinces Government who issued orders for his detention.

Grant of family allowance to security prisoner Babu Harish Chandra Chowdhury.

***56. Mr. ATUL KRISHNA GHOSE:** (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether any family allowance has been granted to Mrs. Saila Bala Chowdhurani, the mother of the political prisoner Babu Harish Chandra Chowdhury of Gaibandha?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) No.

(*b*) The prisoner is a bachelor and used to earn Rs.25 per mensem before his arrest. My information indicated that the family have an income of about Rs.2,000 per annum from landed property as well as an additional income from a printing press. I do not consider this a fit case for the grant of a family allowance.

Sealing of looms and shortening of hours by the Jute Mills Association.

***57. Mr. A. M. A. ZAMAN:** Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state—

(*a*) the number of times the Jute Mills Association resorted to—

(*i*) sealing of looms, and

(*ii*) shortening of hours during war;

(*b*) the number of workers that were financially affected as a result thereof on each occasion; and

(*c*) the number of workers that were dismissed in all jute mills due to the last sealing of looms by 10 per cent.?

MINISTER in charge of the COMMERCE and LABOUR DEPARTMENT (the Hon'ble Mr. Khwaja Shahabuddin): (*a*) A statement, showing the alterations made by the Indian Jute Mills Association, in the working hours of jute mills and in the number of looms working since the outbreak of the war, is laid on the Table.

(*b*) I am informed that it is not possible for the Association to furnish the number of workers financially affected on each occasion over the period referred to in (*a*) above, but that in many cases the workers were absorbed into work of a temporary nature and with the existence of a heavy leave roster, they were also absorbed into normal mill occupations.

(*c*) 10,509 workers were out of employment consequent upon the sealing of looms.

Statement referred to in reply to clause (i) of starred question No. 57.

Indian Jute Mills Association.

Working Time Agreement: Working hours in Jute Mills.

From 13th September, 1939	..	45 hours per week.
„ 25th September, 1939	..	54 „ „ „
„ 3rd November, 1939	..	60 „ „ „
„ 8th April, 1940	..	54 „ „ „
„ 19th August, 1940	..	45 „ „ „
„ September 1940	..	Mills should close one week in September, October and November and again in January and March, 1941, and thereafter 45 hours per week without closing any weeks.
From 1st September, 1941	..	50 hours per week.
„ 13th October, 1941	..	54 „ „ „
„ 6th November, 1941	..	60 „ „ „
„ 18th May, 1942	..	54 „ „ „ with 10 per cent. looms sealed.
„ 15th March, 1943	..	60 „ „ „ without sealing any looms.
„ 17th May, 1943	..	54 „ „ „ with 10 per cent. of looms sealed.
„ 14th June, 1943	..	54 „ „ „ without sealing any looms.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government took any steps against the jute mills for throwing 10,509 workers out of employment?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I submit that this question does not arise.

Mr. SURENDRA NATH BISWAS: Is the Hon'ble Minister aware that there is an Ordinance by which the Government can interefere if the employers throw their employees out of employment for no special reasons?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I do not know how my friend has made that out.

Mr. SURENDRA NATH BISWAS: My submission is that workers have been thrown out of employment without any reasonable cause. There is an Ordinance to the effect that Government can interefere in such cases.

Mr. SPEAKER: What is your question?

Mr. SURENDRA NATH BISWAS: My question is this. In answer (c) it is stated that 10,509 workers were out of employment consequent upon the sealing of looms. Sealing of looms was not sufficient cause for throwing so many workers out of employment.

Mr. SPEAKER: Put your question in that way.

Mr. SURENDRA NATH BISWAS: Then he will say that it is a matter of opinion.

Mr. SPEAKER: What is your question?

Mr. SURENDRA NATH BISWAS: Is the Hon'ble Minister aware that there is an Ordinance to the effect that Government can interfere or should interfere in cases where employees are thrown out of employment without sufficient reason?

The Hon'ble Mr. Khwaja SHAHABUDDIN: Question (*c*) asks the number of workers that were dismissed in all jute mills due to the last sealing of looms. My answer is that 10,509 workers were out of employment consequent upon the sealing of looms. Now he introduces an extraneous matter.

Mr. SPEAKER: Please put your question in a different form.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether his attention was drawn to the fact that so many workers were thrown out of employment and whether the Government considered the desirability of enquiring if they were thrown out of employment with or without any reason?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I understand there are two parts of the question. So far as the first part, viz., what steps I have taken with regard to so many workers who have been thrown out of employment, is concerned, I would refer the honourable member to my answer (*b*); and I submit, the second part does not arise.

Mr. SURENDRA NATH BISWAS: Sir, the Hon'ble Minister says that his reply is to be found in answer (*b*), where he says that he is informed that it is not possible for the Association to furnish the number of workers financially affected on each occasion. I submit, there is no question as to whether the workers were financially affected or not. My submission is that the intention of the questioner was——

Mr. SPEAKER: I cannot allow you to discuss on a question. He has referred to answer (*b*) as his reply to the first part of your question: you may or may not be satisfied.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether some of the workers were not absorbed and have remained out of employment?

The Hon'ble Mr. Khwaja SHAHABUDDIN: Quite possible, but I am not aware of it.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government took any steps to compel the Jute Mills Association to put in the workers who were thrown out of employment into employment?

The Hon'ble Mr. Khwaja SHAHABUDDIN: Sir, I may just explain that this question was put in a long time ago and it referred to happenings that occurred a long, long time ago, most likely during the time of the previous Ministry of which my honourable friend knows better than I do. I am afraid, I am not in a position to answer that.

Mr. ABDUR RAHMAN SIDDIQI: Sir, is this answer justified? I want to know whether a Minister in charge can tell us that he is not responsible for it or that he cannot answer about a matter that happened long before. I think, continuity must be the policy of Government.

The Hon'ble Mr. Khwaja SHAHABUDDIN: Sir, I submit in reply to the question of Mr. Siddiqi that no one can be held responsible for what has happened in the past. If that past action is continuing in our time, then, of course, we can be held responsible.

Mr. SPEAKER: This is question time. It is not the question under discussion as to what is the responsibility of this Minister or that Minister. But if it is a point of order, then certainly I would have been bound to give a ruling. But I am afraid it is not a point of order and therefore the question does not arise.

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state if there is any system adopted by the Indian Jute Mills Association to maintain a waiting register for those who have been discharged on account of retrenchment?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I may refer the honourable member to my answer (*b*). We have been informed by the Jute Mills Association that it is not possible for the Association to keep a waiting register of such retrenched hands.

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state if he is aware that there are waiting registers maintained in other industries where there are a large number of workmen discharged on account of retrenchment?

The Hon'ble Mr. Khwaja SHAHABUDDIN: Sir, I could not follow the question.

Mr. ABDUR RAHMAN SIDDIQI: Will the Hon'ble Minister be pleased to state whether 10,509 workers were the maximum number in one period or whether 10,509 workers went out of employment between the 13th September, 1939, and the 14th June, 1943?

Dr. NALINAKSHA SANYAL: On a point of order, Sir. I am afraid my esteemed friend has not read the answer. It relates to one particular period only, namely, the last sealing of looms and the resultant unemployment is due only to the last sealing. Sir, a similar point of order was raised by Sir Nazimuddin yesterday.

Mr. SPEAKER: There appears to be some room for a supplementary question like the supplementary question put by Mr. Siddiqi on this occasion. It is on the last sealing of looms by 10 per cent. but that does not rule out the supplementary question.

The Hon'ble Mr. Khwaja SHAHABUDDIN: I want notice.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state when did the last sealing take place and how long did it continue?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I want notice.

Mr. ABDUR RAHMAN SIDDIQI: Sir, the Hon'ble Minister has said that the Association cannot furnish the number of workers financially affected. Does the Government make any effort to find out when workers are thrown out of employment and keep any information on the subject officially through the Commissioner of Labour?

The Hon'ble Mr. Khwaja SHAHABUDDIN: Sir, this question has attracted my attention and the Government is considering the ways and means by which the Government may keep proper information of such periodical unemployment of the workers.

Trial of Fusilier Baines for causing death to one Manindra Das in Mainamati Military Camp.

***58. Mr. DHIRENDRANATH NATH DUTTA:** (*a*) Is the Hon'ble Minister in charge of the Judicial Department aware that the Sessions Judge, Tippera, in a motion against the order of discharge of the accused in G. R. case No. 390 of 1942, Emperor *vs.* Fusilier J. Baines, ordered commitment to the Court of Sessions for trial, the said accused Fusilier Baines who caused the death of one Manindra Das by gun shot on 16th June, 1942, at the Mainamati Military Camp?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) if the said accused has been produced for trial; and

(*ii*) if not, why not?

(*c*) Will the Government be pleased to state what steps, if any, the Government have taken to produce the said accused for trial?

(*d*) Do the Government contemplate immediately to produce the said accused for trial?

MINISTER in charge of the JUDICIAL DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): (*a*) Such commitment was ordered, and was made on the 15th September, 1942.

(*b*) (*i*) Yes; he was tried by the Sessions Judge of Tippera at Brahmanbaria and acquitted.

(*ii*), (*c*) and (*d*) Do not arise.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware that out of nine jurors eight jurors were Britishers who tried the case?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I see it is the British Government.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state if the Sessions Judge in accepting the verdict made an observation that he did not agree with the views of the jurors but still in the circumstances of the case he did not refer it to the High Court?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: True, he might have passed a remark like that, but he should have taken courage in his hands and referred the case to the High Court.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what was the defence put up by the accused in this case?

Mr. SPEAKER: That is too much going into details.

Dr. NALINAKSHA SANYAL: I submit this is a very serious matter and it has created a good deal of public feeling. Here was a British soldier who in the broad daylight killed a man and he was let off.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I am not in possession of the judgment.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that this British soldier killed this villager Manindra Das by gun shot in broad daylight?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: It does, Sir, because it is the question.

Mr. SPEAKER: Whether the fact of death is denied or not, that was the subject matter of a judicial decision.

Dr. NALINAKSHA SANYAL: He says he is not in possession of the judgment but whether he has in his possession the fact that a villager Manindra Das was killed by a British soldier in broad daylight who shot him through his stomach. Whether that fact is known?

Mr. SPEAKER: What is your question—the fact of death?

Dr. NALINAKSHA SANYAL: Whether he is aware that one villager named Manindra Das was killed outright by a bullet wound from a British soldier.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: That fact is before the whole country and that fact was enquired into by a Sessions Judge, Mr. Sen, and he acquitted the accused.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government had appealed against the judgment in this case?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: No.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government is considering the desirability of appealing to the higher court against the judgment delivered in this case?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Our procedure is if any case has been misjudged or a wrong decision has been reached it is for the Public Prosecutor and the Legal Remembrancer to enquire into these things and then to ask for an appeal against acquittal, but in this case neither the Public Prosecutor nor the Legal Remembrancer has come forward with a proposal like that.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is considering the desirability of asking the Legal Remembrancer or the Public Prosecutor to look into the matter and to enquire whether they are in a position to request Government for putting up an appeal against the acquittal?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: It is a request for action.

Dr. NALINAKSHA SANYAL: I have said—considering the desirability.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: That is a matter which will have my attention and I will see whether your case is such that any action can be taken.

Senhati Maternity Home in Khulna.

***59. Mr. J. N. GUPTA:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) whether Government paid any sum of money to the Committee of Senhati Maternity Home in the district of Khulna for building the "Home";

(*b*) if so, what amount was paid;

(*c*) when it was paid;

(*d*) whether the "Home" has been built or is still under construction;

(*e*) who is the custodian of the money;

(*f*) who selected the site;

(*g*) whether the expenditure and income of the Committee has been audited by the Government;

(*h*) whether any Lady Health Visitor has been appointed;

(*i*) whether her salaries are paid out of Government Fund; and

(*j*) whether the Lady Health Visitor has got any diploma or certificate from the Government?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): (*a*) and (*i*) Yes.

(*b*) Rs.4,000.

(*c*) In 1941.

(*d*) The centre building is under construction.

(*e*) The Organising Secretary of the Maternity and Child Welfare Centre.

(*f*) The Director of Public Health, Bengal, and the Superintendent, Maternity and Child Welfare.

(*g*) The Committee is responsible for the maintenance of the centre. The income and expenditure of the centre is not audited by Government.

(*h*) Yes, since 7th May, 1942.

(*j*) The Lady Health Visitor qualified herself from the Sir John Anderson Health School, Calcutta.

Mr. J. N. GUPTA: In reply to (*h*), will the Hon'ble Minister be pleased to state on what condition the sum of Rs. 4,000 was granted to the Committee?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: The condition was laid down in the circular issued by the Director of Public Health, the general policy being that Government wanted to develop Maternity Centres in rural areas and in order to encourage people's organisations which are willing to develop Maternity Centres they were given grants and the conditions were that they would have a Health Visitor and they would have a Superintendent and some units to work Maternity Centres for training of *dais* and nurses.

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state if it is not a condition that unless the Committee raised an equal sum, the sum of Rs. 4,000 would not be granted?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: Yes, I think that was the condition. They were prepared to contribute one half of the capital cost up to a maximum of Rs. 3,000 for a centre and up to Rs. 4,000 for a Maternity Ward.

Mr. J. N. GUPTA: When the construction of the centre building was started?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I am afraid I am not in a position to supply the date.

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state if it is in the condition that certain acres of land are necessary for building the Maternity Centre?

Mr. SPEAKER: That is going too far into details and I do not allow that question.

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state if he has got any answer in reply to question (*i*) whether her salaries are paid out of Government Fund? It has not been replied.

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I have already stated in (*a*) and (*i*) "Yes".

UNSTARRED QUESTION

(Answer to which was laid on the table)

Appointment of Inspector, Technical Institutions, Department of Industries.

22. Dr. NALINAKSHA SANYAL: (*a*) Will the Hon'ble Minister in charge of the Commerce, Labour and Industries Department be pleased to state what is the present position regarding the appointment of a permanent incumbent for the post of Inspector of Technical Institutions, Department of Industries?

(*b*) Is it a fact that the present Ministry has thrown the post open to non-Bengali Muslims?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) what are the permanent posts of—

(1) officers, and

(2) Upper Division Clerks

in the Department of Industries; and

(*ii*) how many of these are held by—

(1) Muslim, and

(2) Hindus?

The Hon'ble Mr. Khwaja SHAHABUDDIN: (*a*) and (*b*) The post was reserved for a Muslim and an attempt to recruit a Bengali Muslim having failed at first, it was re-advertised by the Bengal Public Service Commission on an all-India basis, preference being given to candidates ordinarily resident in Bengal. On the recommendation of the Commission, the post has since been filled by a Bengali Muslim.

(*c*) A statement is laid on the Table.

Statement referred to in reply to clause (c) of unstarred question No. 22.

(*i*) Number of permanent posts of—

(1) Officers—11.

(1) Director of Industries.
(2) Deputy Director of Industries and Industrial Engineer.
(3) Industrial Chemist.
(4) Inspector of Technical and Industrial Institutions.
(5) Personal Assistant to Director of Industries.
(6) Superintendent, Bengal Tanning Institute.
(7) Principal, Bengal Textile Institute, Serampore.
(8) Principal, Bengal Silk Technological Institute, Berhampore.
(9) Deputy Director of Sericulture.
(10) 1st Superintendent of Sericulture.
(11) 2nd Superintendent of Sericulture.

(Two of these have not been permanently filled.)

(2) Upper Division Clerks—9.

(1) Held by Muslims—2.

(2) Held by Hindus—7.

(ii) (1) Held by Muslims—3.

(2) Held by Hindus—8.

Dr. NALINAKSHA SANYAL: With reference to the statement on the second page, will the Hon'ble Minister be pleased to state if the officers shown there are all working in the office of the Director of Industries in Calcutta?

The Hon'ble Mr. Khwaja SHAHABUDDIN: It is obviously not so. I may refer to Nos. (7) and (8).

Dr. NALINAKSHA SANYAL: How many of them are in the Department of Industries here?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state up to No. (5) who are the incumbents at the present moment?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state how many of the first five in the list of officers—these are the five names, I presume, in the office of the Director of Industries and the others are technical posts—are Hindus and how many are Muslims?

The Hon'ble Mr. Khwaja SHAHABUDDIN: What is your question?

Dr. NALINAKSHA SANYAL: Out of the first five in the statement of the list of officers how many are Hindus and how many Muslims?

The Hon'ble Mr. Khwaja SHAHABUDDIN: The Director of Industries is a non-Muslim; Deputy Director of Industries and Industrial Engineer is a Muslim; Industrial Chemist is a non-Muslim; Inspector of Technical and Industrial Institutions is a Muslim; and Personal Assistant to Director of Industries according to my information is a Muslim

Dr. NALINAKSHA SANYAL: So three out of 5 are Muslims. Thank you.

With reference to (2), viz., Upper Division clerks, will the Hon'ble Minister be pleased to state how many of these clerks are working in the office of the Director and how many outside?

The Hon'ble Mr. Khwaja SHAHABUDDIN: For this detailed information I must ask for notice.

Dr. NALINAKSHA SANYAL: Sir, my question was clear to which detailed answer was expected. You will notice that I asked the question thus "Will the Hon'ble Minister be pleased to state what are the permanent

posts of officers and Upper Division clerks in the Department of Industries"? Taking advantage of my ignorance of the office etiquette, officers have been included. That is why I wanted to have it cleared.

Mr. SPEAKER: He has already answered that he wants notice.

Dr. NALINAKSHA SANYAL: With reference to answers (*a*) and (*b*) regarding the appointment of a Muslim as the Inspector of Technical Institutions, will the Hon'ble Minister be pleased to state if it is a fact that apart from the answer given there was yet another stage in which the Public Service Commission threw open the appointment to members already in the service, and in that connection a Hindu was recommended?

Mr. SPEAKER: That question, I am afraid, does not arise. Is there any other stage mentioned here?

Dr. NALINAKSHA SANYAL: There are three stages mentioned. The post was reserved for a Muslim and an attempt to recruit a Bengali Muslim having failed at first, it was re-advertised by the Bengal Public Service Commission

Mr. SPEAKER: Have you got any other supplementary question to put?

Dr. NALINAKSHA SANYAL: My question is whether apart from these stages mentioned here there was any other stage?

Mr. SPEAKER: Are you prepared to answer that?

(No reply.)

Maulvi MUHAMMAD ISRAIL: With reference to the disparity, viz., out of 9 Upper Division clerks 2 are Muslims and 7 Hindus and again 3 Muslims and 8 Hindus mentioned in the statement, will the Hon'ble Minister consider the desirability of making up this disparity existing in this department in future recruitments?

The Hon'ble Mr. Khwaja SHAHABUDDIN: As far as I am concerned I can give this assurance to the House that communal ratio rules will be strictly followed and any disadvantage under which any particular community is suffering will be redressed.

Babu MADHUSUDAN SARKAR: With reference to answer (*a*), will the Hon'ble Minister be pleased to state under what consideration the post was reserved for a Muslim?

Mr. SPEAKER: That question does not arise.

Mr. ABDUR RAHMAN SIDDIQI: With reference to the list of officers given in the statement, will the Hon'ble Minister be pleased to state how many from No. 6 to No. 11 are Muslims and how many are non-Muslims?

The Hon'ble Mr. Khwaja SHAHABUDDIN: No. 6 is a non-Muslim; No. 7 is a non-Muslim; No. 8 is a non-Muslim; No. 9 is a non-Muslim; No. 10 is a non-Muslim; and No. 11 is also a non-Muslim.

Mr. ABDUR RAHMAN SIDDIQI: Will the Hon'ble Minister be eased to take the earliest steps to establish the communal ratio in this atter?

The Hon'ble Mr. Khwaja SHAHABUDDIN: As far as this question is oncerned—I think I am not giving out any secrets—I am taking steps in rder to anticipate the vacancies and, if possible, to recruit Muslims and cheduled Castes and to give them proper training in this country and broad to be able to fill the vacancies as and when they occur.

Babu MADHUSUDAN SARKAR: Will the Hon'ble Minister be pleased state whether any Scheduled Caste officers are there in that department?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I want notice for that. have to look into the files.

Dr. NALINAKSHA SANYAL: With reference to items Nos. 6 to 11, ill the Hon'ble Minister be pleased to state if there is any qualified Muslim t to hold any of these posts? (Cries of "Oh! oh!" from the Ministerialist enches.)

Mr. SPEAKER: That question does not arise.

Mr. JOGESH CHANDRA GUPTA: Is it a fact that the Hon'ble linister has been trying to find a qualified Muslim for the Sericulture epartment and delayed the working of that department in the hope of etting one but he has not yet been able to find one?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I am glad to inform the onourable member that a man has been recruited and he is undergoing raining, and will be appointed after the completion of training.

Dr. NALINAKSHA SANYAL: With reference to the statement "two f these have not been permanently filled", will the Hon'ble Minister be leased to state which are those posts?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased o state if it is a fact that with a view to find a suitable Muslim the Government of Bengal went out of their way to approach a gentleman in Mysore o accept the post in the Sericulture Department and he having demanded very heavy salary the matter is not yet complete?

The Hon'ble Mr. Khwaja SHAHABUDDIN: The honourable member s supplying all the information. What information does he want from me?

Mr. SPEAKER: Dr. Sanyal, from the reply you may assume that that s a fact.

The Hon'ble Mr. Khwaja SHAHABUDDIN: No, Sir; I do not accept hat it is a fact.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Minister aware that the Sericulture Department must be worked very efficiently at the present moment; otherwise the silk industry of Bengal will be dying?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I can assure the honourable member that we are fully aware of the importance of the Sericulture Department.

Dr. NALINAKSHA SANYAL: With reference to answers (*a*) and (*b*), will the Hon'ble Minister be pleased to state if any of the already existing departmental officers was at any stage permitted to apply for the post?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I want notice.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that after the failure of an attempt to recruit a Bengali Muslim the appointment was thrown open by the Public Service Commission to persons already employed under Government and one Hindu officer was selected?

The Hon'ble Mr. Khwaja SHAHABUDDIN: I have nothing further to add to my answer.

Mr. SPEAKER: Question time is over. The rest of the questions are held over.

(At this stage the House was adjourned for prayer for 15 minutes.)

(After adjournment.)

Point of Information.

Dr. NALINAKSHA SANYAL: Sir, before the business of the House is taken up I have to invite your attention to the fact that a visitor wanted to see me. He as usual handed over a slip at the point where visitors are asked to wait and he complained that although he waited for more than 15 minutes the slip was kept on the table by the clerk in charge and no attempt was made to send in the slip to me. It was about a very urgent matter that he wanted to see me. This is another instance in which it is forgotten that the office exists for the members and not the members for the office. Hitherto the practice has all along been that whenever any visitor wanted to see any member immediately some bearer was made available to bring the slip inside the House. In view of the urgency of this matter I feel that the matter should be enquired into. These things are increasingly giving difficulties to members. Sir, either you keep a little more vigilant eye on the administration of the office or the members will have to suffer.

Mr. SPEAKER: I give you my assurance that I shall look into the matter.

Dr. NALINAKSHA SANYAL: When I asked the clerk concerned he said that his instruction was not to send in slips when there was prayer time or likely to be prayer time. He claims that he has got instructions to that effect.

NON-OFFICIAL RESOLUTIONS.

Point of order.

Maulvi MUHAMMAD ISRAIL: Sir, I rise on a point of order. Under section 88(2) of the Government of India Act, an Ordinance cannot be passed when the Assembly is in session, and the Assembly cannot recommend the issue of any Ordinance. In view of the fact that this resolution recommends that an Ordinance should be issued forthwith, I submit that it is *ultra vires* and it offends the section quoted by me, and therefore those particular words should not form part of the resolution

Mr. SPEAKER: I think that the member in whose name the resolution stands has already asked my permission to delete that part.

Mr. DHIRENDRA NATH SEN: I was going to ask for the deletion of that part myself.

Mr. SPEAKER: Please go on.

Cattle for agricultural purposes and milch cows not to be slaughtered.

Mr. DHIRENDRA NATH SEN: With reference to the resolution standing in my name, may I be permitted to move a slight amendment in regard to the last two lines. I want to delete the words "goat and sheep under 2 years" and in place of the words "an Ordinance should be issued forthwith" I want to substitute "immediate steps should be taken in that direction".

The amended resolution reads as follows:—

> "This Assembly is of opinion that in view of the importance of cattle for all agricultural purposes and of milch cows for health and in view of rapid decimation of cattle due to indiscriminate slaughter for abnormal food-supply all cattle suitable for agricultural purposes and for drawing carts under 12 years of age, milch or pregnant cows of every age, should not be slaughtered and immediate steps should be taken in that direction."

Sir, in moving the resolution in this amended form, I propose to draw the attention of the House to the extremely deplorable situation which has been created due to the indiscriminate slaughter of cattle to meet the requirements of abnormal food-supply. There is widespread feeling of dissatisfaction at the manner in which cattle is being slaughtered to meet the requirements of the army and reports are current that large numbers of prime cattle are being purchased to meet this abnormal demand. Although no figures for the province of Bengal are available, yet it is possible to ascertain the seriousness of the problem from the figures for All-India given by His Excellency the Commander-in-Chief in the Council of State in August last. In reply to a question, His Excellency stated that the number of cattle slaughtered in the year 1942-43 for the prisoners of war was 62,000 and for the Chinese, American and British forces stationed

in India 216,000. In 1943-44 the number of slaughtered cattle must have been higher still, and it is said that the cattle slaughter is now five times the peace-time number. Bengal being in the war zone, it is not unreasonable to assume that the figure of cattle slaughter in Bengal must be higher than the All-India average. It is also apprehended that the number of cattle slaughtered would increase still further when India is made the base of operations for an Allied attack on Burma and more forces come to India. Thus an idea can be formed about the rapid depletion of our cattle wealth, and I am of opinion that unless effective precautionary measures are taken now, the position portends danger for the future.

Sir, I am aware that on the recommendations of the Central Food Advisory Council, which have also been accepted by the War Department, the Government of India have issued orders that no milch or pregnant cows and bullocks under 10 years of age are to be slaughtered, and that instructions have also been issued to pass no animal which comes under the protected category, when presented at the military slaughter house. But these checks are not successful in their objective and, the situation has not improved. Reports still come that prime cattle in large numbers are even now being purchased from rural areas for ultimate supply to meet the requirements of the Defence services. But before making any suggestions for the stoppage of this predatory practice, it is pertinent to enquire why such large-scale indiscriminate slaughter is taking place. So far as I have been able to gather, as against the price of beef per maund, which is stated to be Rs. 7-4-6 for the year 1938-39 by Government in the Council of State, fantastic prices are now being offered today ranging from Rs. 50 to Rs. 60 per maund and cattle is being purchased on the basis of this price in the rural areas. In normal times only surplus and old cattle were sold for slaughter purposes, but healthy cattle even are now being sold because of attractive prices offered. It is mainly the presence of the abnormal demand that has forced up the price to such fantastic levels. Partly due to the helplessness and miseries coming in the wake of the famine and partly due to the fantastic prices offered, the peasantry are induced to dispose of their cattle, in utter disregard of the consequences that may follow.

Apparently there is complacency in high quarters. Perhaps they do not consider the situation alarming. But nobody who has the welfare of the country at heart can tolerate such rapid depletion of our cattle wealth on purely economic grounds, although sentimental and religious considerations also cannot be wholly ignored. The importance of an adequate number of good quality cattle cannot be too strongly emphasised in a predominantly agricultural country like ours, especially when Government efforts have been directed towards an increase in agricultural production through a "Grow More Food" campaign.

Sj. NARENDRA NATH DAS GUPTA: Sir, may I draw your attention to the fact that there is no Hon'ble Minister present in the House.

Mr. A. F. STARK: When a resolution of this importance is being discussed, it is to be regretted that there should not be one Minister present in the House.

Mr. SPEAKER: It is desirable that the Hon'ble Ministers should be present.

Mr. A. M. A. ZAMAN: Mr. Speaker, Sir, আমি জান্‌তে চাই—যখন আমাদের নন্‌অফিসিয়াল প্রস্তাবের আলোচনা চলছে—তখন একজন Ministerও এখানে নাই কেন? যাঁরা কথা বলছেন—ওঁরা তো পার্লামেণ্টারী সেক্রেটারী, আমরা Ministerদের চাই।

Mr. RASIK LAL BISWAS: On behalf of the Agriculture Minister I am taking notes.

Mr. SPEAKER: I should like that some of the Ministers, at least one Minister, should be present; otherwise, it would not be fair that discussion should go on.

Mr. ABDUR RAHMAN SIDDIQI: May I seek your guidance, Sir, on this point as to whether a Parliamentary Secretary cannot satisfy the House in discharging some of the functions of his Minister?

Mr. SPEAKER: Well, it is a matter of great importance and if the House desire that some Ministers should be present, I think at least one Minister must remain in the House.

Mr. ABDUR RAHMAN SIDDIQI: Sir, I think this is a direct reflection on Parliamentary Secretaries for if a Minister is not there the Parliamentary Secretary does the duty and service on his behalf. Is that not allowed?

Mr. SPEAKER: No; the rules do not allow it, if there is no delegation.

(At this stage the Hon'ble Mr. Khwaja Shahabuddin entered into the Chamber and took his seat in the Treasury bench.)

The Hon'ble Mr. Khwaja SHAHABUDDIN: Only recently, Sir, I was going through the proceedings of the House of Commons relating to a most important debate concerning the War, when neither the Prime Minister nor the War Minister was present. The Parliamentary Secretary to the War Minister or some other Parliamentary Secretary was only present, but the debate went on smoothly without the Ministers being present. Sir, we never mean any disrespect to the members of the House, especially to the members of the Opposition. But we have got to carry on our other duties also and that only keeps us away from the Chamber.

Mr. PRAMATHA NATH BANERJEE: We are very glad to be able to see my Hon'ble friend, Mr. Shahabuddin, but I shall request him through you, Sir, to make a special study of Stafford Cripps' Parliamentary Democracy in Action. That will enable him to go through the proceedings in the Hansard more quickly, more thoroughly——

Dr. SYAMAPROSAD MOOKERJEE: And more profitably!

Mr. PRAMATHA NATH BANERJEE: I shall not say "and more profitably" but "and more efficiently".

The Hon'ble Mr. Khwaja SHAHABUDDIN: I am very much obliged to my honourable friend, Mr. Pramatha Nath Banerjee, for his advice, and I hope I shall benefit by it.

Mr. SPEAKER: The Parliamentary Secretaries under the rules, as far as I have seen, can discharge functions delegated to them by the respective Ministers in charge but still there are certain difficulties which have come to my notice and that is why the rules ought to be made clearer on this point. I am looking into this matter very carefully because it is a new institution, so to say; it came into being recently and the rules, as far as I can see, were not made with a view to covering all cases as to what may or may not be dealt with by Parliamentary Secretaries and under what circumstances. It is a new matter and it will require full examination; it will have my consideration and I think I shall be able to discuss this important question in course of the present session with the leaders of the various parties and arrive at a decision.

Mr. A. F. STARK: May I enquire of you, Sir, whether the Parliamentary Secretary for Agriculture can take his place on the Treasury benches?

Mr. SPEAKER: I think it is desirable that he should be there.

(At this stage Mr. Rasik Lal Biswas took his seat in the Treasury bench.)

Mr. DHIRENDRA NATH SEN: The national importance of the conservation of our live-stock resources was also emphasised by Lord Linlithgow, the then Viceroy and Governor-General of India, at the All-India Cattle Show held in August last. Thus observed His Excellency, "In this immense agricultural country which feeds the largest population in the whole world, almost every seed that germinates owes its debt to the work of the cattle in ploughing up the soil and almost every grain that is carried to the markets to feed the great urban populations is carried there by bullock transport. In fact, cattle are in a real sense the basis of India's economy." His Excellency thus put in a nutshell the importance of cattle to our agricultural economy which is not yet mechanised and is carried on with the aid of manual labour and cattle power. Thus unless this process of rapid decimation of our cattle resources is put a stop to, agricultural operations as well as the marketing of crops are likely to be most adversely affected. For the present Government are concerned with a "Grow More Food" campaign, and their production drive would produce hardly satisfactory results if the peasantry have no cows to till the soil and carry the crops home and thence to markets. The utility of cattle for transport of marketable crops and other produce in the countryside which has not yet been opened up by railways and other modern means of transport goes without saying. The curtailment of railway transport facilities and motor lorry services has enhanced this utility. Some small cottage industries like the oil-pressing industry are also likely to suffer for the same reason. I would presently refer to another aspect of the problem. Lord Linlithgow in his speech on the occasion, I have referred to before, observed, "The health

of every child, and not only the health but to a very large extent the intelligence of every child, and so the whole physical standard of India's millions depends largely on the quality and amount of milk available for children to drink." The production and consumption of milk in India are very low and amount to only 8 and 7 ounces per head as against 245 and 56 ounces respectively in New Zealand. The depletion of our live-stocks would worsen the position in this respect. Children are the hopes of the nation and they should be saved from the evils of malnutrition. On the contrary, every effort should be made to give them more nutrient and well-balanced diets. The position, therefore, cannot be viewed with equanimity. Constituted as they are, the Government are incapable of making arrangements for an early replacement of the number of cattle that are now being slaughtered. The present rate of cattle slaughter therefore constitutes a real danger to the rehabilitation of our agricultural economy now, and in the post-war period and to the health of our future generations. Immediate action is, therefore, called for. The Government should bestir themselves and give up their policy of inaction.

The problem has two facets and has therefore to be tackled on two fronts. One is that of the demand for abnormal food-supply and the other a rapidly dwindling supply of live-stocks. As regards the demand for abnormal food-supply, it shall have to be satisfied. But I would differ as to the manner in which it is being allowed to be satisfied by the authorities. I would rather suggest that so far as the requirements of the Defence forces and the prisoners of war are concerned, as also some portion of civil consumption, meat should be imported from other Allied countries, e.g., United States of America, Australia and New Zealand and that His Majesty's Government should be requested, through the Government of India, to make arrangements for its importation. And in view of the easier shipping position because of a turn in the tide of the war, I am of opinion that the necessary shipping space can be easily found, a consideration that has prompted the Government, as part of their anti-inflationary programme, to import more finished consumer's goods, a step that is likely to prove detrimental to the best interests of Indian industrialisation. I would, therefore, commend my suggestion to the authorities that instead of importing such finished goods which can be manufactured in India if suitable facilities are readily provided by the authorities, the available shipping space may be utilised for importing meat for the army, the prisoners of war and also some portion for the civil population.

So far as the conservation of supply of cattle is concerned, my suggestion is that proper checks should be instituted so that cattle which can be used either for transportation or agricultural operations, as also bullocks up to the age of 12 years, i.e., up to an age they can work in farms and fields, milch cows and pregnant cows, cannot be purchased by contractors for slaughter purposes. Goats and sheep which are also a large source of milk-supply should be protected too. I would, therefore, suggest that immediate steps be taken to stop the slaughter of cattle. With these words, I would commend my amended resolution for acceptance by the House.

Khan Bahadur ABDUL WAHAB KHAN: Sir, I beg to move that after the word "food-supply" all words beginning with the word "all" and ending with the word "forthwith" be omitted and the following words be inserted, namely, "for military purposes, immediate steps be taken by the Government of Bengal to stop the purchase of cattle in Bengal for the military" and after the amendment, my resolution would read like this:

"This Assembly is of opinion that in view of the importance of cattle for all agricultural purposes and of milch cows for health and in view of rapid decimation of cattle due to indiscriminate slaughter for abnormal food supply for military purposes, immediate steps be taken by the Government of Bengal to stop the purchase of cattle in Bengal for the military."

Now, Sir, the honourable member moving the resolution admitted that this abnormal food-supply is due to military consumption. If that view is accepted, I believe the honourable member who moved the resolution would have no objection to accept my amendment The resolution, as it stood previously, would, of course, restrain the religious liberties of the people, the sacrificing of cattle, goat or sheep for religious purposes by the Muslims as well as by the Hindus, but I find that my friend has at the last moment seen that this would not be fair nor would it be acceptable to either community. I do not believe that my friend moving the resolution has any mind to wound the religious susceptibilities of either community or deny the lawful food to the Muslims or Christians Sir, I can say without fear of contradiction that for economic reasons or otherwise the civilian consumption has been less than before and, as I have already submitted, the abnormal supply of cattle, goat and sheep is due to the military consumption which alone is responsible for the decimation of cattle for purposes of agriculture or drawing of carts and also of milch cows for purposes of health. So I would again request the honourable mover to accept my amendment and let us move this resolution in an agreed form so that the Government of Bengal may take immediate steps for prevention and stopping of purchase of cattle in Bengal and the slaughter thereof. I hope, Sir, that all sections of the House will agree to my amendment.

Mr. DHIRENDRA NATH SEN: I accept the amendment.

Mr. SHAHEDALI: Sir, I beg to move——

Mr. SPEAKER: Before you move your amendment I want to know what it is.

Mr. SHAHEDALI: My amendment is that in the original resolution after the word "slaughtered" in line 7, the following words be added——

Dr. NALINAKSHA SANYAL: Sir, I believe the intention of our esteemed friend Mr. Shahedali is also similar and in view of the agreement arrived at, he may generally speak on it and will not perhaps move his amendment.

Mr. SHAHEDALI: He may also accept my amendment.

Mr. SPEAKER: I see that your intended amendment runs thus: "except for ceremonial or religious purposes and except slaughter of cattle, sheep and goat for the purposes of food for civil population". This is already covered by the amendment which has been accepted. Therefore, it is no use asking for my leave for moving your amendment.

Mr. SHAHEDALI: If my purpose is served, I need not move it.

Mr. ASHUTOSH LAHIRI: Mr. Speaker, Sir, I rise to support the resolution of Mr. Dhirendra Nath Sen as amended by Khan Bahadur Abdul Wahab Khan. Sir, the question of preservation of cattle has now acquired a vital importance in view of the admittedly alarming situation that we are witnessing today. There is no use refusing to admit the situation. Sir, preservation of cattle once used to be the main concern of the Hindus and was connected more or less with religious sentiments. But today the position has been changed and I shall not be wrong if I say that my Muhammadan friends realise as much the need for preservation of cattle as the Hindus. It has now become a major national problem.

What do we find today? There is an acute shortage of supply of milk throughout the province. One cannot get a seer of milk with less than six to eight annas a seer even in the mufassil districts and rural areas where milk could in previous years be available at one anna to six pice per seer. Sir, we are now passing through a period of famine as much due to want and high price of milk as that of rice but unfortunately milk famine has almost escaped the attention of our leaders and the Governmental authorities. Sir, just imagine the condition of the masses. They can no longer provide milk to their infants and children for whom milk is a vital necessity. Just imagine how it is sapping the vitality of the younger generation and having a far-reaching effect on the future well-being of the nation.

Sir, what are the main factors that have brought about this situation? We know in many districts, such as Noakhali, Bakarganj, Faridpur, Khulna, and others cattle diseases raged in an epidemic form and took a very heavy toll. In fact such an epidemic has never been witnessed during the past twenty-five years.

May I ask, Sir, did the Government take any special measures to stem the tide of this havoc? We do not know. I think the Hon'ble Minister in charge of the Department himself does not know. I remember a reply that was given the other day to an interpellation in the Assembly on the subject. That betrayed how hopelessly the official mind worked. The Hon'ble Minister was content with denying the whole thing. He said that the comparative figures of cattle mortality showed that there was no unusually high mortality this year. The Hon'ble Minister was relying on his departmental statistics—who does not know their value—but will not see things and look around with his own eyes. Sir, it forces me to the only conclusion that nothing whatsoever was done by the Government to counteract the terrible epidemic that so heavily depleted the number of cattle in the province.

Sir, leaving aside that question, let me now turn to the other and by far the more important factor which has been responsible for creating the present situation, I mean, heavy and indiscriminate purchase of cattle by contractors for supply of meat for military consumption. Sir, go to any village fair or *hat* where cattle is brought for sale, and you will find a new spectacle. Live cows and bullocks are being weighed in the balance and are being sold to the contractors at certain rupees per maund at a very high price. Even milch cows are not spared. Healthy and useful bullocks used for purposes of cultivation have become scarce. Driven by hunger and starvation people were compelled to sell them while the rapacious contractors who are scouring the countryside in search of more and more cattle were only too eager to offer attractive prices as an additional inducement to the famished cultivators.

Sir, on a modest computation, Bengal has lost at least fifty per cent. of her cattle population during the last two years. Sir, if this huge slaughter continues unchecked, there will be no cattle available in the country for agriculture and milk-supply. We will realise the actual position after a month or two when the problem of cultivating lands will have to be faced.

Sir, the question now is what steps the Government of Bengal have taken to meet this unparallelled situation. We are not aware of any step being taken by them at all. Possibly the Hon'ble Minister will say, "What can we do, when Bengal has to feed some lakhs of white soldiers. It is a war problem over which we have no control." This plea of war cannot absolve them from their responsibility. A Ministry responsible to the people cannot ignore such vital problems of life and death to the teeming millions of the province. Sir, the preservation of cattle is now an acute all-India question, though it happens to be acutest in Bengal. How have the other Provincial Governments tackled this matter? Sir, I have had quite a recent experience of the condition prevailing in Upper India in this respect and I can say no other province has been suffering as much as Bengal is doing. And yet other Provincial Governments have been more active, energetic and more alive to the realities of the situation.

Sir the Central Provinces Government has already prohibited slaughter of milch and pregnant cows up to nine years of age. The Bombay Government has issued an order that drought bullocks physically fit and below the age of ten years, cows in milk and cows in calf shall not be slaughtered or acquired or transferred for purposes of slaughter. Breach of this order is punishable by forfeiture to the Crown of any such animal in addition to the penalty of imprisonment for a term extending to three years or fine or both. The Government of Bihar has also issued a notification on similar lines making the slaughter of this category of cattle an offence liable to both fine and imprisonment.

Sir, it is the Government of India which took the earliest action on this subject. His Excellency the Viceroy issued a notification as early as June last year, under the Defence of India Rules, prohibiting the slaughter of

cows in milk, cows in calf and healthy bullocks of or under ten years of age. The Provincial Governments which I have mentioned followed suit. The Hon'ble Sir Joginder Sing, Member in charge of this Department, in a letter, dated 3rd August, 1943, sent this intimation to the Honorary Secretary, All-India Cow Conference Association, Calcutta. Sir, if the Government ruled by the British bureaucracy could have deemed it necessary to take action on the matter, how is it that the Bengal Government which is alleged to be ruled by the popularly elected Ministers have been merely looking on quite helplessly? I wonder, Sir, if the Agriculture Department of the Government of Bengal is even aware of this notification of the Government of India. The Honorary Secretary, All-India Cow Conference Association, which is a recognised authoritative body on this subject addressed the Government of Bengal, Agriculture Department, in the early part of November, 1943, enclosing a copy of the letter received from Sir Joginder Sing and requesting immediate action on that line. The reply from the Assistant Secretary of the Department was sent only on the 1st February last, the day on which the Assembly met, though the letter was addressed to them on the 10th November, 1943. That shows the difference between the Government of India and the Government of Bengal. The Association's letter to the Government of India was addressed on the 22nd July, 1943, and the reply from Sir Joginder Sing was sent on the 3rd August, 1943, while the Government of Bengal took nearly two months' time in sending the reply. I doubt, Sir, even if this reply would have been vouchsafed, had not the Assembly met and had not this non-official resolution come up for discussion before the House today?

Sir, I would not have minded such delay, could I have got any indication from the letter that the Government of Bengal has been really moving in the matter or in any way conscious of the gravity of the problem. Sir, the reply states vaguely that "the army authorities, it is understood, have issued orders prohibiting the acceptance for slaughter of classes of cattle indicated in Sir Joginder's letter. So far as cattle slaughter for civilian consumption is concerned, there is no complaint of excessive slaughter". The department is thus content with leaving the matter to the army authorities, as if they themselves have nothing more to do. Sir, can there be a more shameful exhibition of criminal neglect of duty? The people of this province have a right to know why the Government of Bengal have been sleeping over this question, why they have not taken any steps to implement the Government of India notification and why the provisions of this notification are not being enforced in the province, as the other Provincial Governments have done? I hope the Hon'ble Minister will satisfy the House on this point.

Sir, our demand is very simple. The resolution before the House merely asks the Government to take steps on the lines already taken by so many Provincial Governments. That is the least that this Government can do in the situation. I think, Sir, that the case for the acceptance of this resolution is irresistible and I hope the Government will accept it.

Sir, vigorous measures must be taken to trace out the transgressors and punish them adequately. The Government should issue leaflets and posters and broadcast them throughout the countryside. All newspapers must be made to publish specific directions on the subject from time to time, somewhat on the lines of the Civil Supply Directorate. Special watch should be kept on all cattle markets and Government agents should be posted in all well-known fairs where specially cattle is brought for sale, and to keep a note as to how many cattle and of what denomination are purchased by contractors or butchers. If you leave the whole thing to the ordinary police and the magistracy, I am afraid no appreciable result will be achieved. Well thought-out measures must be taken for collection of detailed informations regarding sale and slaughter of cattle, so that the Government may be in a position to take legal steps against persons transgressing the law.

Sir, with these words, I commend the resolution to the acceptance of the Government and to the members of this House.

Mr. I. D. JALAN: Sir, I have much pleasure in supporting the motion as amended The question is a very important question and I need not take the time of the House after the learned speeches of Mr. Lahiri and Mr. Sen on the subject. The question before us is as to whether we are satisfied with merely passing the resolution in this House, or the Government of Bengal is going to take some steps. It is a matter of common knowledge to all of us that the price of cows, bullocks and other animals has increased tremendously. In Calcutta you cannot get good milk even for a rupee a seer and rather I shall be taking away your time needlessly to dwell upon the necessity of milk for our children, for ourselves, for our mothers and for the entire province. It is a matter of common knowledge also that on account of a large military population in this province, not only in this province but also in this country, there has been an abnormal demand for meat. As a result thereof there has been an indiscriminate slaughter of our cattle. The Governments of different provinces have taken steps in order to regulate or restrict the indiscriminate slaughter. The Government of Bengal have also admitted in answer to one of the questions that there is an enormous increase in the slaughter of cattle in this province. I, on behalf of the party which I represent, cannot but draw the attention of the Government of Bengal to the serious situation which has arisen on account of this decimation of the cattle population of this province Whatever may be the form of the resolution which will be passed by this House the one fact stands that something has got to be done and it must be done immediately if we really want to give relief to the teeming millions of this province. Let us not be scared away by the words "cow slaughter". These words have been connected with certain religious sentiments and have been the cause of riots and disturbances in this country. Let us not be scared away by these words. I do find that the amendment which has been moved scents that feeling which is pervading in a section of the House. I should say that we must restrict the slaughter of our cattle up to a particular age whether it is required for military purposes or whether it is required even for civil

opulation, but in view of the fact that the parties have agreed to a parti-ular form of the resolution I do support the resolution as amended with the ope that something tangible will be done by the Government of Bengal.

With these words I support the resolution and do hope that in the near uture we shall see some action resulting in giving effect not only to the esolution as it stands but giving effect to some such action as will really ave the cattle of our province.

Mr. W. E. SKIPWITH: Mr. Speaker, Sir, I find myself in great ympathy with this resolution. The growing snow-ball of inflation in this ountry, the progress of which Government have tried to stem all too late, as placed a great temptation before cattle owners. And while I think it oubtful that more than a small proportion of the benefit of the present high rices of meat and other foodstuffs is finding itself into the pockets of the ctual producers it cannot be denied that the owners of cattle are being empted to send their young beasts and milch cows to the slaughter houses. f they succumb to this temptation not only will the health of the population f this vast country suffer but its greatest Industry, Agriculture, will be rippled for years to come.

I myself am greatly concerned at the present high and rising prices of ertain foodstuffs which do not at present fall within the scope of the ration-ng scheme. I believe that these prices denote a growing and serious hortage and I urge the Hon'ble Minister for Agriculture and his colleague n charge of Civil Supplies to cause, as a first step, an immediate enquiry nto the position to be made. If, as I fear, such an enquiry reveals a hortage of supplies then the Hon'ble Minister for Civil Supplies must accept he responsibility of adding meat to his list of rationed items. He must also xamine the possibility of obtaining supplies of frozen meat from overseas nd the availability of cold storage accommodation in which to store it.

In my opinion the present resolution does not go far enough or, should say, it tackles the problem from the wrong angle I suggest that the most ffective protection against the dangers which the movers foresee lies rather n the assurance and regulation of supplies, the control of prices and in the upervision of the slaughter houses than in the proclamation of a far-reach-ng Ordinance such as has been suggested. I would, therefore, urge the novers to accept the promise of a full investigation if such is forthcoming rom the Hon'ble Ministers concerned.

Maulvi ABDUL WAHED : মাননীয় সভাপতি সাহেব, আজকে মি: সেন যে প্রস্তাব পস্থিত করেছেন সেটার সংশোধনী প্রস্তাবগুলিও তিনি গ্রহণ করেছেন ; এখন উক্ত প্রস্তাবটা য আকার ধারণ করেছে সেইটার সমর্থনে আমি কয়েকটী কথা বলবো। গোজাতির রক্ষার জন্য কান আইনের প্রস্তাব করার এতকাল প্রয়োজন হয় নাই। বর্ত্তমানে প্রয়োজন হয়েছে বোলেই াই পরিষদে এ প্রস্তাব উপস্থিত হয়েছে। এবং অতি সত্বরেই এটা কার্য্যকরী না করলে বাংলা-শ গরুশূন্য হয়ে যাবে।

আমার বাড়ী পাড়াগাঁয়ে, আমি নিজেই একজন কৃষক এবং আমি একজন কৃষকদের ভিতরের লোক। কৃষির প্রধান সম্বল গরু। গোজাতি রক্ষা না করলে, গরুর অভাবে কৃষি-কার্য্যের কতটা ব্যাঘাত জন্মে, সেই কথাটা পরিষ্কার কোরে আমি বলতে চাই। গত কার্ত্তিকের

আগের কার্ত্তিকে চাষীরা ৮৲ টাকার বলদ দিয়ে হাল চালনা করতে পেরেছে; কিন্তু এক বৎসরে মধ্যে এমন অবস্থা দাঁড়িয়েছে যে ৮৲ টাকার বলদ ৮০৲ টাকাতেও মিলছে না। কার্ত্তিক মাসের দুর্ভিক্ষে অনেক কৃষক-দু একটা কোরে বলদ বিক্রী কোরে খেয়েছে, সুবিধামত আর একটা-দুটো কিন্‌বে এই আশায়, কিন্তু এখন তাদের কারো সাধ্য নাই যে, একটা যে বিক্রী কোরেছে সে একটা বলদ কিন্‌বে, এবং দুটো যে বিক্রী করছে সে দুটো বলদ কিন্‌বে। একজোড়া বলদ নাহলে হাল চালনা অসম্ভব। অথচ খরিদ করবার সামার্থ্যও তাদের অনেকেরই নাই। এ অবস্থায় বেশীর ভাগ লোকেরই হাল ভেঙ্গে গেছে গত দুর্ভিক্ষের জন্য। গভর্ণমেণ্ট এখন অধিক খাদ্য-উৎপাদনের আন্দোলন করছেন, সঙ্গে সঙ্গে এ আন্দোলনও করছেন যে পতিত জমি যেখানে যা আছে তাতে ফসল উৎপাদন করতে হবে। এই যে আন্দোলন সুরু করেছেন সেটা মোটেই কার্য্যকরী হবে না, যতক্ষণ পর্য্যন্ত না হালের গরুর ব্যবস্থা হয়।

আমি ময়মনসিংহের কথা বল্‌তে পারি, হাজার হাজার গরু পূর্ব্ব দিকে, সিলেটের দিকে চালান হচ্ছে, জিজ্ঞাসা কোরলে শোনা যায় সব নাকি মণিপুরে যাবে!! এই রকমে দিনরাত্রি গোরু চালান যাচ্ছে মণিপুরের দিকে। ফলে আমাদের দেশটা প্রায় খালি হয়েছে, গোরু নাই, কেউ গোরু সংগ্রহ কোরে হাল চালাতে পারচে না। এমন অবস্থা শীঘ্রই হয়তো ঘটবে যে অনেক কৃষক অতিরিক্ত খাদ্য উৎপাদনতো দূরের কথা, হাল চালাতে না পেরে কোদাল ধরবে এবং কোদালের দ্বারা জমি তৈরী কোরে শুধু নিজের খাদ্যের পরিমাণ শস্য উৎপাদন করতে পারে কিনা সেই চেষ্টা করবে। নৈলে মানুষ যাতে লাঙ্গল টানতে পারে সেই চেষ্টা হবে। কিন্তু সঙ্গে সঙ্গে এ-কথাটাও বলা প্রয়োজন মনে করি একদিকে যেমন হাল-টানার গোরুর অভাব হয়েছে আর এক দিকে তেম্নি হালচালনাকরার মানুষেরও অভাব হয়েছে। গত দুর্ভিক্ষের সময় অনেক লোক মারা গেছে। অনেকে না খেতে পেয়ে শরীর শুষ্ক হওয়ায় দুর্ব্বল হয়ে পড়েছে আর যারা একটু সুস্থ ছিল তাদেরও অনেকে যুদ্ধে চোলে গেছে, বা মিলিটারীর কাজে গেছে। তাই একদিকে যেমন গোরুর অভাব অন্য দিক দিয়ে মানুষেরও অভাবে হালচালনা অসম্ভব হয়েছে চাষীরা তাই আজ বড় দুঃখে বলেছে, "মন্ত্রী মহাশয়রা আজ আবার পতিত জমি উদ্ধার কোরে অধিকতর খাদ্য উৎপাদনের কথা বলছেন। আমাদের যে জমি রয়েছে তাতেই হাল চালনার মানুষ ও গোরুর অভাব তার উপর পতিত জমি উদ্ধার কি কোরে হবে? মন্ত্রী মহোদয়রা যদি আসতেন, তাদের তাহলে জিজ্ঞাসা করতাম যে অতিরিক্ত খাদ্য জন্মানোর আন্দোলন যদি সাফল্য মণ্ডিত করতে হয় তাহলে মন্ত্রীমহোদয়দের এবং তাঁদের সকল কর্ম্মচারীদের হাল চালাবার জন্য মাঠে যেতে হবে; নৈলে আর চলবেনা। সেই জন্য আমার অনুরোধ গোজাতির রক্ষার জন্য গভর্ণমেণ্ট যেন অতি সত্বর ব্যবস্থা করেন।

আমাদের কৃষকদের মধ্যে একটা চলতি কথা আছে যে যে গাভীর ওলানে দুধ না থাকে সে গাভীর মরবার আগে তার বাছুর মরে। আজ মানুষের মধ্যে চাষী হচ্ছে কামধেনু। সেই কামধেনু যদি না বাঁচে তবে বাছুর মোরবে আগে। কৃষিজাত খাদ্য যারা খেয়ে বাঁচে তারাই হলো বাছুর। যাঁরা মোড়ার উপর বোসে সর্দ্দারী করেন আর মিহি চালের ভাত, ঘি, মাখন, ছানা, প্রভৃতি নানাবিধ সুখাদ্য খান। কৃষকই খালি উৎপাদন করছে। আজ বাবু জাতীয় লোক যাঁরা আছেন তাঁরা যদি কৃষক জাতিরূপ কামধেনুর দিকে লক্ষ্য না করেন তাকে যদি বাঁচিয়ে রাখবার জন্য চেষ্টা না করেন, তাহলে গাভী মরার আগে তাঁরা বাছুর যারা আছেন তাঁরাই মোরবেন।

Maulvi AHMED ALI MRIDHA: Sir, I must congratulate Mr. Sen for his goodness to accept the amendment suggested from this side of the House.

By doing so he has removed the apprehension that was lurking in our mind as Muslims, but now that the mischievous intention of the original resolution, as drafted, which has been a blow upon the Hindu and Muslim sentiment alike, has been removed, we are all happy to support the amended resolution, and now at least for once in this House there is perfect amity between the Muslims and Hindus.

Sir, there has been a dearth of cattle in our country due to indiscriminate slaughter of the cow by the military and for that cultivation has been suffering and there is also shortage of milk-supply throughout Bengal. We know it definitely that cultivation of land has suffered; Sir, we know it only too well because we, Muslims, mostly belong to the cultivating class. Sir, if anybody ever tended the cows well it was the Muslims; if anybody has at all rendered any service to the province for the supply of good milk, it was also the Muslims,—milk which is as good a food for the Hindus as it is for the Muslims. But we cannot permit restriction of slaughtering bullocks and cows under 12 years of age or of any age by the civil population. Sir, it is a primary concern of the Muslims that no restriction should be put on the slaughter of cows by the civil population; it is a great concern to us——

Mr. DEPUTY SPEAKER: Mr. Mridha, now that the amendment has been accepted by the mover, these remarks are not justified.

Maulvi AHMED ALI MRIDHA: Sir, we have also realised that something must be done to check the slaughter of cows in an indiscriminate manner. We know that many outsiders have come to Bengal in recent years for military purposes, and to meet their daily requirements of meat food there has been of late a very heavy toll on the lives of our cattle of all description; not only the cow but goat, sheep, and even fowl are going to be decimated. We cannot have even eggs; we cannot purchase fowl in the mufassil at less than Rs. 3 or Rs. 4 each and we have to pay one anna or even two annas for one egg. That is the present situation, Sir, but the problem in the present abnormal situation is again difficult to solve. Amendment proposed by my friend Khan Bahadur Sahib is therefore very opportune. Sir, the restriction that was sought to be imposed would have wounded the religious susceptibilities of the Muslims. I think it would be unwise to ask the Hindus not to sacrifice goats which are immature. I think every Hindu and every Muslim are duty bound to tolerate each other's religious sentiments. So far as cow slaughter is concerned, the Muslims have to depend on it not for its cheapness but also for its deliciousness. We have been very much apprehensive that if the resolution, as it was drafted originally, was pressed, it would have been a bad day for Bengal. Sir, it would be very difficult even to move such a resolution in a public meeting but here one can do so because we are almost in a *parda*. But that a friend had done so it was a height of hypocrisy. We are glad that the original resolution was not pressed and that the religious susceptibilities of both the communities have not been injured. We have lived in amity for many many years although mischief-mongers have often tried to disturb it. Some time there was some disturbance but that also passed away in course of time and we have lived in friendly relations. But even then we know what our masters

have been doing. Our masters are taking advantage of the little cleavage that exists and they tell us, well, have amity, have unity, have brotherly feelings among Hindus and Musalmans and then come to us for freedom, and that freedom was kept hundred yards away from us. We were never given an opportunity of tasting the fruit of freedom. Even when there was harmony between us that was being disturbed from time to time and today there was an attempt definitely made in the drifting to such an unhappy situation which possibly was done at the instance of some friends of the Sabha or Mahasabha—of course, that is my surmise—but the responsibility was my friend's for drafting his resolution in the language. But after all Mr. Sen has realised his own difficulties. He has found that the society does not move with him. The societies of Hindus and Mussalmans must move together. This idea perhaps later dawned on him and for that I must congratulate him for the second time and would tell him that this is the correct attitude. We must be going together; we must not disturb the amity, the friendship that exist between the two communities. We have been trying every moment to adjust the difference and develop a feeling of amity and friendship and have not been saying a word or doing an act which would go to disturb the feeling of amity and friendship between the two communities. We cannot prosper unless there is amity and friendship and we must develop this. "Give and take" is the word. We give and we take; that is the conduct of men. Where there is a tender chord it should not be touched; what wounds one should not be said; what grieves one must not be uttered. In that way we must behave, otherwise we do not get what we require and we do not get also the freedom, the millenium, that we must have before us. I again congratulate Mr. Sen for his frankness and for his nobleness that he has accepted the amendment of my esteemed friend Khan Bahadur Abdul Wahab Khan.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I want to give some information to the House. Even before we got notice of this resolution, I took up this question with the local military authorities here and I have received a letter from General Stuart which will give some idea to the honourable members as to what the army is doing on its own in this matter and also give some information not only on the question of cattle but also of other foodstuffs as to the manner in which the army is trying to procure on its own without encroaching on civil supplies.

"As promised, I forward herewith a brief Note on the army system of obtaining local fresh supplies now existing in Bengal. In principle we are doing our very utmost to take the minimum amount of our requirements from within the province.

I know that you appreciate, however, that one cannot be at war and have so many troops in a province without affecting the normal everyday life of the civilian.

I think the situation regarding meat, eggs and milk is a universal one all over India, but you can see from the Note that we are endeavouring to be self-contained and dependent on our own resources to the greatest extent possible.

You have probably seen the attached cutting which appeared in yesterday's *Statesman*, but in case you have had no time to see it, you may find it of interest."

This is what appeared in the *Statesman*.

"The Government of India in their struggle to master the food-shortage have had time to look around. There exist other aspects of the situation than procurement and distribution of foodgrains, and occasionally complaints are heard that military purchases have denied civilians their due share of meat, fish, vegetables and poultry. These complaints should be mitigated with the welcome establishment of purchase co-ordination committees which it is reported will be set up in each Command, and will represent both the military and civil authorities. The Armed Forces have striven to help by raising their own vegetables and poultry where possible. Fishing however will probably remain an individualistic and desultory art."

This is what they are doing at present as far as Bengal is concerned:

As far as practicable, all troops stationed in Bengal are fed through Army Supply channels. These supplies are purchased through the Director of Contracts in Delhi and the bulk of the rations issued to the troops come from central depots elsewhere in India.

Pre-war and prior to the famine, fresh supplies were purchased locally in and around stations where troops were located. This was advocated and encouraged by the civil and was of considerable financial value to the local populace.

With the advent of the famine, instructions were issued for all troops to be as self-supporting as was practicable. Chickens and eggs ceased to be part of the rations of British or Indian troops except for hospitals and convalescent depots.

Units were given vegetable seeds and a number of Indian battalions are now self-supporting as regards vegetables.

Sikkim State is undertaking the production of vegetables for the Army and there are schemes on foot for vegetables to be grown purely and solely for the Army both in Bihar and Bengal, so that no drain will be made on civil markets.

As regards meat, it has now been agreed to issue a proportion of buffalo meat to troops instead of beef in order to conserve supplies of beef cattle. Certain limited fresh supplies of beef are however still obtained from Bengal. These are purchased through contractors who purchase in possibly the cheapest market, but the Army have no control over these contractors (Dr. NALINAKSHA SANYAL: There's the rub!) nor do they dictate the purchasing areas.

As regards fresh milk, butter and cream, a military dairy farm is under construction in Dacca.

Certain quantities of fresh milk and butter are purchased locally through military milk purchasing depots. No fresh butter, however, is issued to British or Indian personnel except in hospitals.

The following is a list of the main articles of Army fresh supplies showing the provinces from which they are obtained:—

Cattle—United Provinces, Bihar and small quantities from Bengal.

Goats—United Provinces, Bengal and Bihar.

Sheep—Bihar and Bengal.

Pigs—Bihar and United Provinces.

Vegetables (excluding potatoes and onions)—Bihar and Bengal—some units now growing their own from seeds supplied from the Army.

Potatoes—United Provinces, Madras, Assam, Bengal and the Punjab.

Onions—Bombay, Madras, Bihar and Bengal.

Fruit—Sikkim, Central Provinces, Assam and Bengal.

It is anticipated that farms for breeding slaughter animals and poultry will be set up shortly which will meet all Army requirements.

Mr. DEPUTY SPEAKER: The question before the House is the agreed amended form of the resolution of Mr. Dhirendra Nath Sen, namely,—

That this Assembly is of opinion that in view of the importance of cattle for all agricultural purposes and of milch cows for health and in view of rapid decimation of cattle due to indiscriminate slaughter for abnormal food-supply for military purposes, immediate steps be taken by the Government of Bengal to stop the purchase of cattle in Bengal for the military.

The motion was then put and agreed to.

Mr. ADWAITA KUMAR MAJI: Sir, I beg to move that this Assembly is of opinion that immediate steps should be taken by the Government of Bengal in the matter of fixation of minimum prices of rice, paddy and jute in comparison with the prices of other commodities and Central Government be moved in the matter, if necessary.

Mr. DEPUTY SPEAKER: Will you speak on this resolution?

Mr. ADWAITA KUMAR MAJI: Yes, Sir.

Mr. DEPUTY SPEAKER: Try to take as little time as possible.

Mr. ADWAITA KUMAR MAJI: আজকে খাদ্য-নিয়ন্ত্রণের দ্বারা বাংলা-দেশের খাদ্যাভাব দূর করার জন্য গভর্ণমেণ্ট আন্দোলন করছেন। কিন্তু অন্যান্য দ্রব্যের মূল্যের সহিত তুলনা কোরে গরীব কৃষকদের প্রধান কৃষিজাত জিনিষ ধান-চাল ও পাটের নিম্নতম দর বেঁধে না দিলে তাদের অভাবের শেষ হবে না। এই ধান চাল আর পাট বিক্রী কোরেই গরীব কৃষক তার প্রয়োজনীয় কাপড়-চোপড়, কেরোসিন প্রভৃতি নিত্য প্রয়োজনীয় জিনিষ খরিদ করে। কিন্তু একটা সর্ব্ব-নিম্ন মূল্য না থাকার দরুণ, পরিষদের সভ্যবৃন্দ সকলেই জানেন যে গত বৎসর বাংলাদেশে চালের

মণ ১০০৲ টাকা পর্য্যন্ত ওঠা সত্ত্বেও কৃষকরা বিশেষ কিছুই পায় নাই। কিন্তু আবশ্যক পণ্য-দ্রব্য তাকে চড়া দরেই কিনতে হয়েছে। সেই জন্য আমার এই প্রস্তাব যে অন্যান্য পণ্যদ্রব্যের মূল্যের সঙ্গে সমভাবে তুলনা কোরে ধান-চাল ও পাটের নিম্নতম মূল্য-নির্দ্ধারণ অতি সত্বরেই করা গভর্ণমেণ্টের উচিত। এবং প্রয়োজন হলে এজন্য বাংলা গভর্ণমেণ্ট যেন অবিলম্বে কেন্দ্রীয় গভর্ণমেণ্টকে এ বিষয়ে move করেন।

Mr. ATUL KRISHNA GHOSE : আমি এই প্রস্তাব সমর্থন করতে গিয়ে কয়েকটি কথা বলতে চাই। বাংলা গভর্ণমেণ্ট অনেকবার অনেকভাবে দেশবাসীকে বোঝাতে চেষ্টা করেছেন যে তাঁরা সমস্ত জিনিষের দাম নিম্নতম হারে আনবার চেষ্টা করেছেন। আমরা চারিদিক দিয়ে দেখতে পাচ্ছি তাঁদের চেষ্টা ফলপ্রসূ হয় নাই। এমন কি গভর্ণমেণ্ট যে সমস্ত জিনিষের দাম control করে ঘোষণা করেছেন কার্য্যকালে বাজারে গিয়ে দেখি সেই দাম দিয়ে কোন জিনিষ পাওয়া যায় না। আমি যে কেবল গভর্ণমেণ্টের বিরুদ্ধে চর্চ্চা করছি তা নয়, আমি কতকগুলি সত্যকার ঘটনা বিবৃত করছি যা হয়ত গভর্ণমেণ্ট জানেন না বা বোঝেন না। কেরোসিন তৈলের মূল্য নিয়ন্ত্রণ হয়েছে কিন্তু যাঁরা পল্লী-অঞ্চল হতে এসেছেন তাঁরা জানেন এক বোতল কেরোসিন তৈল হয়ত অনেক সময় বাজারে পাওয়া যায় না। যদিবা এক-আধ পাঁইট পাওয়া যায় তা কিনতে লাগে পাঁইট পিছু ১০।১২ আনা অনেক সময় এক টাকা। আমাদের Civil Supplies Department হয়ত মনে করতে পারেন যেহেতু তাঁরা একটা control rate ঘোষণা করেছেন সুতরাং বাংলার লোক এখন নিরাপদে নির্ভাবনায় কেরোসিন তৈল পাচ্ছে। কিন্তু তাঁদের জানা উচিত যে যে দর কাগজে ঘোষণা করা হয় সেই দর শুধু কাগজপত্রেই থেকে যায় কোন প্রকারে কার্য্যকরী হয় না। এই বিষয়ে যদি তাঁদের কোন সন্দেহ থাকে তাহলে বাংলার বিভিন্ন জেলা হতে তাঁদের নিজের দলের যে সমস্ত সভ্য এখানে সমবেত হয়েছেন তাঁদের নিয়ে যখন Party Conference হবে সেই সময়ে তাঁদের জনে জনে প্রশ্ন করে যদি অনুসন্ধান করেন তাহলে তাঁরা এই ব্যাপারের সত্যতা সম্যকরূপে অবগত হবেন। তাঁরা যেন একথা মনে না করেন যে তাঁদের ক্ষতি করবার জন্য, তাঁদের বিরুদ্ধে reflection আনবার জন্য, তাঁদের বিরুদ্ধ partyর লোক কতকগুলি remark করছে যার কোন সত্যকার মূল্য নাই।

আপনারা হয়ত মনে করবেন আমরা ছোটখাট ব্যাপার নিয়ে আলোচনা করছি। এখন বড় বড় ব্যাপার নিয়ে ভাবুন। কেরোসিন তৈল, নুন প্রভৃতি সামান্য জিনিষগুলি হয়ত অনেক সময়ে চোখে পড়ে না। নুনের দাম যে হারে বাজারে ঘোষণা করা হয়েছে সেই হারে বাজারে পাওয়া যায় না। আমাদের দরিদ্র কৃষকগণ—

Mr. RASIK LAL BISWAS : Sir, the subject matter of the resolution is rice-paddy and jute and whether you want to raise the price or to lower it.

Mr. ATUL KRISHNA GHOSE : আমাদের বড়ই দুর্ভাগ্য যাঁরা Parliamentary Secretary হয়েছেন, যাঁরা মন্ত্রীত্বের গদিতে উপবিষ্ট হয়েছেন তাঁরা কতকগুলি প্রয়োজনীয় জিনিষের নাম উল্লিখিত হওয়ায় সেগুলির নাম হয়ত Resolutionএ উল্লিখিত নাই তাঁদের ধৈর্য্যের সীমা নষ্ট হয়। এই বিষয়টা আমাদের পক্ষে যতই না দুর্ভাগ্যের বিষয় হউক, আমাদের মন্ত্রী মহোদয়গণ এবং তাঁদের Parliamentary Secretaryগণের পক্ষে খুব আনন্দ এবং সৌভাগ্যের বিষয় নয়।

Mr. DEPUTY SPEAKER : Mr. Ghose, you need not discuss that point. Come to the point.

Mr. ATUL KRISHNA GHOSE : চাউলের কথা বললে যদি তাঁদের আনন্দ হয় তবে চাউলের কথাই বলছি। সংশ্লিষ্ট মন্ত্রী মহোদয় অনেক কষ্টে স্বষ্টে, অনেক গবেষণা করে চাউলের মূল্য ১৫৲ ধার্য্য করেছেন। আশা দিয়েছেন ভবিষ্যতে আরও কিছু কম করবেন। কিন্তু খিদিরপুর বাজারে এখন পর্য্যন্ত চাউল ২৪৲ মনে বিক্রয় হচ্ছে। গভর্ণমেণ্ট এই বিষয়ে কি করছেন? গভর্ণমেণ্টের অবস্থা জীবন্মৃত হয়েছে। গভর্ণমেণ্ট যদি জীবিত থাকতেন তাহলে তাঁরা যা ঘোষণা করেন সে ঘোষণাকে কার্য্যকরী করতে পারতেন। এই গভর্ণমেণ্টকে জীবন্ত বলতে হয় বলুন তাতে ব্যক্তিগতভাবে আমার কোন আপত্তি নাই। আরও যদি শুনতে চান জীবিত কি মৃত তাহলে খুঁচিয়ে ঘা করবেন না। যেখানে গভর্ণমেণ্ট ঘোষণা করেছেন ১২।১৫। ২০৲ টাকা দর সেখানেই Government Department মাল কিনছে ১৮।২২।৩০৲ টাকায়। কি চমৎকার policy যাঁরা নিজেদের নির্দ্ধারণ নিজেরাই পালন কর্ত্তে পারেন না তাঁরা কি করে আশা করতে পারেন তাঁদের সেই ঘোষণা অপরে পালন করবে।

শুধু কি চাউল। সরিষার তৈল controlএর প্রস্তাব ভারত সরকার এবং বাংলা সরকার উভয়েই মেনে নিয়েছেন কিন্তু তাকি কার্য্যকরী হয়েছে। অবশ্য আমি জানি এই কথাগুলি বলা অরণ্যে রোদন করা ছাড়া আর কিছুই নয়। তবু অরণ্যে রোদন করি এইজন্য যে যদি গভর্ণমেণ্টের কোনদিন চৈতন্যোদয় হয় এবং নিজেদের অতীতের কার্য্যকলাপ সমালোচনা করে হয়ত বা একটা স্থির সিদ্ধান্তে উপনীত হতে পারেন। control rate যদি সত্যই কার্য্যকরী করতে হয় তাহলে তার পেছনে একটা জোরাল policy থাকা দরকার। যেন তার অভাবে "ইতোভ্রষ্ট ততোনষ্ট" না হয়। যেখানে আমরা ৬৲ টাকা মণে চাল কিনে খেয়েছি সেখানে ১৫৲ টাকা মণ control rate বৃদ্ধি হয়েছে। তবু আমি মন্ত্রী মহাশয়কে ধন্যবাদ জানাচ্ছি যে যেখানে ৪০৲ মণ হয়েছিল সেখানে ১৫৲ টাকায় এনে ফেলতে পেরেছেন। সেদিক দিয়েও ভাববার কথা আছে। যদি ১৫৲ টাকা মণ steady থাকে এবং বিভিন্ন বাজারে চাউল পাওয়া যায় তথাপি আমাদের দেশবাসীর কি এমন ক্ষমতা আছে যে সকলেই ১৫৲ টাকা মণ দরে চাউল কিনে তাদের সংসারযাত্রা নির্ব্বাহ করতে পারে? তাদের উপায় কি? যারা ৬৲ টাকা মণ দরে চাউল কিনে সংসারযাত্রা নির্ব্বাহ করত তারা ১৫৲ টাকা মণ দরে চাউল কিনে সংসারযাত্রা নির্ব্বাহ করবে কি প্রকারে? যদি গভর্ণমেণ্টের জনসাধারণের প্রতি কোন দায়িত্ব থাকে তাহ'লে তাঁদের একথা বিবেচনা করা দরকার। একথা আমি সম্যকরূপে অবগত আছি যে problemটা solve করা সহজসাধ্য নয়। সুরাবর্দ্দী সাহেব না বসে যদি অন্য কোন ব্যক্তি মন্ত্রিত্বের আসনে বসতেন তাঁর পক্ষেও ব্যাপারটা সহজসাধ্য হত না। কিন্তু সহজসাধ্য নহে বলিয়াই সেই ব্যাপারটাকে ভ্রূক্ষেপ না করা তার প্রতি ঔদাসীন্য প্রকাশ করা চলতে পারে না। যখন গভর্ণমেণ্ট দায়িত্ব হাতে নিয়েছেন তখন এই ব্যাপারটার কোন না কোন সমাধান করা চাইই চাই। আর তা না হলে বলতে হয় আমরা দায়িত্বজ্ঞানহীন, আমরা কিছু করতে পারি না—এই কথাটা স্পষ্টভাবে বলে দেওয়া উচিত। তাই বুঝে লোকে নিজ নিজ ব্যবস্থা করতে পারে। এদিকে এই ঘোষণা করবেন না অপর দিকে ঘোষণা করবেন ২০ সেরের বেশী চাউল কেউ ঘরে রাখতে পারবেন না। যদি চাউলের মণ ৩০৲ টাকা হয় আমাদের না খেয়ে মরতে হবে। আজকে যদি ১০ মণ চাউল কিনে রাখতে পারতাম পরে হয়ত দুমুঠো খেয়ে বাঁচতে পারতাম।

Mr. DEPUTY SPEAKER: Mr. Ghose, you are speaking now on which item?

Mr. ATUL KRISHNA GHOSE: I am supporting the resolution moved by Mr. Adwaita Kumar Maji.

Mr. DEPUTY SPEAKER: You have not said a word about the fixation of minimum price. Please come to the point.

Mr. ATUL KRISHNA GHOSE: Please wait for a minute and you will find I am coming to the point.

Mr. DEPUTY SPEAKER: I will not allow you to speak if you go on repeating your arguments.

Mr. ATUL KRISHNA GHOSE: You have got the right to stop me if you like. But with due respect I submit that I am now in the middle of a paragraph and when I approach the end of it, I shall come to the point. In the middle of the paragraph I do not wish to refer to it.

Mr. DEPUTY SPEAKER: No argument is necessary. Please go on.

Mr. ATUL KRISHNA GHOSE : Thank you. আজ যদি চাউলের দর ১৫৲ টাকায় control করতে না পারেন, যদি চাউলের মণ ৩০৲ টাকা বা ৬০৲ টাকায় ওঠে, তাহলে এই ২০ সেরের বেশী চাউল মজুদ রাখা যেতে পারে না। এই নির্দ্ধারণের ফলে যারা হয়ত নিজেরা আত্মরক্ষা করতে সমর্থ হত তাদের ইঁদুরের কলে পিসে মারবার মত অবস্থা হবে। হতে পারে ওদের উদ্দেশ্য সাধু, কিন্তু উদ্দেশ্য সাধু হলেই ফল হয় না। ওঁরা যে সীমা নির্দ্ধারণ করেছেন ২০ সের, পূর্ব্বে ছিল ১ মণ ১৬ সের, এই অবস্থার মধ্য দিয়ে যদি মানুষকে নিয়ে যান, তাহলে জোর করে বলতে হবে আমরা ভরসা দিচ্ছি ১৯৪৪ সালের শেষ পর্য্যন্ত চালের মণ ১৫৲ টাকার উপরে যেতে দেব না। এইভাবে যদি জোর করে বলতে পারেন, যদি সরবরাহ করতে পারেন, তাহলে আপনাদের কার্য্যপদ্ধতির একটা basis থাকবে। তা না হলে গত বৎসরের মত কোথায় যেয়ে জনসাধারণ পড়বে সে কথা ভেবে দেখুন। আমাকে Deputy Speaker মহাশয় মূল্য নিয়ন্ত্রণ ও নিম্নতম মূল্য সম্বন্ধে বলতে বলেছেন। এই নিম্নতম মূল্য ১০৲ টাকা হবে কি ৩০৲ টাকা হবে সেই কথাটা জানবার জন্য আমার বন্ধু অদ্বৈত কুমার মাঝি মহাশয় এই প্রস্তাব এনেছেন। মাননীয় মন্ত্রী মহাশয় অনুগ্রহ করে বলে দিন যে তিনি এই মূল্য ১৫৲ টাকার বেশী উঠতে দেবেন না। এখানে ঢাকা সহরবাসী Chief Minister, Parliamentary Secretary আছেন। সেখানে যখন চালের মণ ১১০৲ টাকায় ওঠে তখন আমি এক আত্মীয়ের কাছে চিঠি পেয়েছি ১০৲ টাকা পকেটে নিয়েও ১ সের চাল কিনতে পারে নাই। এই অবস্থাই যদি হয় আমরা নগণ্য লোক এই অবস্থায় কোথায় ভেসে যাব। হয় ত মরে যাব, দেহ রাস্তায় পচে থাকবে। হয় ত Ambulance ডেকে Civil Supplies Departmentএর মন্ত্রী মহাশয় দয়া করে গঙ্গায় ভাসিয়ে দেবেন। সেই জন্য বলছি নিম্নতম মূল্য কি হবে এই কথা শেষ পর্য্যন্ত ঘোষণা করে বাড়ী যান, আমরাও নিশ্চিন্ত হই।

Sj. NARENDRA NATH DAS GUPTA : আমাদের বাংলাদেশে যে বর্ত্তমানে খাদ্যসম্পর্কে অবস্থার সৃষ্টি হয়েছে তার দুইটি দিক আছে। প্রথমতঃ আমাদের খাদ্য চাল-ডাল প্রভৃতির মূল্য যখন স্থির করতে হবে তখন দেখতে হবে অন্যান্য অত্যাবশ্যকীয় জিনিষের মূল্য কি প্রকার আছে। আজ একথা সত্য যে বাংলাদেশের বহু লোক ৫৲ টাকা মণ দরে চাউল কিনিতে অক্ষম। সঙ্গে সঙ্গে দেখতে হবে যারা চাষ করছে, উৎপাদন করছে তারা কি মূল্য-সামঞ্জস্য রক্ষা করে

চলতে পারে। উর্দ্ধতন মূল্যের সঙ্গে সঙ্গে নিম্নতম মূল্য স্থির না হলে বাজার স্থিরভাবে পরিচালনা করা যেতে পারে না। মাননীয় সুরাবর্দ্দী সাহেব এক বক্তৃতায় বলেছিলেন কলিকাতায় খাদ্যদ্রব্য সরবরাহের ব্যবস্থা হবে কেন্দ্রীয় গভর্ণমেণ্টের পক্ষ থেকে এবং বাংলার কোন চাউল বাহিরে যাবে না। এই ঘটনার সঙ্গে সঙ্গে চাউলের দাম ৮৲ টাকায় নেমে এল। তার দুই-চার দিন পরে ঘোষণা করা হোল বাংলা গভর্ণমেণ্ট চাউল কিনবেন, সঙ্গে সঙ্গে এক সপ্তাহের মধ্যে চাউলের দাম উঠল ১৮৲ টাকা মণ। এর পেছনে আছে একটা বড় মনস্তত্ত্ব। আজ বাংলায় যেসব কৃষকের ঘরে ধান আছে তারা চুপ করে বসে আছে। বাংলা গভর্ণমেণ্ট যে পদ্ধতিতে চলছে তাতে তারাও আশা করে এবৎসরও ৫০।৬০৲ টাকা মণে তারা ধান-চাউল বিক্রী করতে পারবে। সেই আশায় তারা চাউল ছাড়ছে না। আবার বরিশাল জেলার অনেক বাজারে যখন চাউলের দর ১৫।১৬৲ টাকা মণ ঠিক সেই সময় Government agentরা চাউল কিনতে আরম্ভ করল মেদিনীপুর জেলায় ৮৲/৮॥০ টাকা দরে। সেই অঞ্চলে কৃষকদের চাউল ছাড়া অন্য কোন শস্য ছিল না যা বিক্রী করে তারা অর্থ সংগ্রহ করে অন্যান্য প্রয়োজনীয় কর্ত্তে পারে। তখন তাদের বাধ্য হয়ে ৮৲/৮॥০ টাকা মণ দরে চাউল বিক্রয় কর্ত্তে হয়েছে। এখন কথা হচ্ছে কৃষকেরা যদি জানত যে ১২৲ টাকা মণের কমে কেউ চাউল বিক্রী করতে পারবে না, করলে আইনানুসারে দণ্ডিত হবে, তাহলে কৃষকেরা নিশ্চিন্ত মনে বাজারে চাউল ছাড়তে পারত, ভয় থাকত না বাজার দর নেমে এসে শেষকালে Government Agentদেরকাছে অন্য জেলার তুলনায় অর্দ্ধমূল্যে বেচবার। সুতরাং উর্দ্ধতম মূল্য নির্দ্ধারণের সঙ্গে নিম্নতম মূল্য ঠিক করা দরকার। তা না হলে বাংলার কৃষককুলের সর্ব্বনাশ হবে। এই ভাবে সরকারী নিয়ন্ত্রণ-নীতির অস্থিরতা ও নিম্নতম মূল্যের অনিশ্চয়তা এই দুইটি সংঘাতের মধ্যে পড়ে বাংলার খাদ্য-শস্য-সমস্যা অতি জটিল আকোর ধারণ করছে। কৃষক হয়ত আশা করেছিল যে সে ১৪৲ টাকা মণে চাউল বিক্রী করতে পারবে, কিন্তু বাজারে এসে দেখল দর নেমে গেছে ৭৲ টাকায়। সকলের ধারণা এই অবস্থায় কৃষক তার চাউল ঘরে ফিরিয়ে নিতে পারে। কিন্তু গরীব কৃষক তা পারে না। তখন সে ৮৲ টাকা মণ দরে বিক্রয় করে যেতে বাধ্য হবে। এর ফল হল এই পরের দিন বাজারে চালের মণ ১৫৲ টাকা হলেও তার কোনই লাভ হল না পূর্ব্ব দিন অল্পমূল্যে চাউল বিক্রী করে তাকে ন্যায্য মূল্য হতে বঞ্চিত হতে হল। লাভবান হল শুধু সমৃদ্ধ কৃষক যে তার চাউল ঘরে ফিরিয়ে নিয়ে যেতে পেরেছিল এবং ঘরে চাল মজুত রেখে সংসার চালাতে পারে।

আজ আমি আমাদের সদস্যগণের অবগতির জন্য বলছি যে যেমন উর্দ্ধতম মূল্য স্থির করে দেওয়া উচিত সঙ্গে সঙ্গে নিম্নতম মূল্যও স্থির করে দেওয়া উচিত। তাহলে কৃষকেরা আশ্বস্ত হয়ে ধান চাউল ছাড়বে আর ধাপে ধাপে যে মূল্য বেড়ে যাচ্ছে তাও নেবে আসবার একটা সম্ভাবনা থাকবে। সঙ্গে সঙ্গে গভর্ণমেণ্টকে দেখতে হবে যাতে মূল্য-নিয়ন্ত্রণের কার্য্যটা শুষ্ঠু ভাবে পরিচালিত হয়। গভর্ণমেণ্ট কর্ম্মচারীরা যাতে সততার সঙ্গে তাদের কার্য্য পরিচালনা করেন এবং কৃষক যাতে বাঁচে সেদিকে দৃষ্টি রেখে কাজ করতে হবে। অনেক স্থলে মূল্য-নিয়ন্ত্রণের ব্যাপার অবলম্বন করে গভর্ণমেণ্টের পুলিশ অফিসাররা অকথ্য অত্যাচার করছে। কয়েক মাস পূর্ব্বে চাউলের মূল্য ছিল অস্বাভাবিক। গভর্ণমেণ্ট ordinance জারি করলেন ৩০৲ টাকা মণের বেশী কেউ বিক্রয় করতে পারবে না। আমাদের গ্রামের আছে বাণারীপাড়া চালের হাটে এক ব্যক্তি ৩৭৲ টাকা মণ দরে চাউল কিনল। তখন পুলিশ তাকে বলল তুমি বে-আইনি কাজ করেছ। তুমি অতিরিক্ত মূল্যে চাউল কিনেছ চল তোমায় থানায় নিয়ে যাব। তখন নিষ্কৃতি পাবার জন্য তাকে বাধ্য হয়ে অর্দ্ধেক দিতে হল পুলিশকে। যদি গভর্ণমেণ্টের

কর্ম্মচারীরা এই প্রকারে যারা ক্রেতা ও বিক্রেতা তাদের উপর জুলুম করে তাহলে যে কোন-রূপ নিয়ন্ত্রণ হউক না কেন তার কোন মূল্য থাকবে না। সে নিয়ন্ত্রণের মূল্য হবে গভর্ণমেণ্ট অফিসারদের পকেট ভর্ত্তি করার সুযোগ। সেইজন্য আমি গভর্ণমেণ্টকে বলছি তাঁরা যেমন একদিকে মূল্য-নিয়ন্ত্রণ করবেন তেমন নিজ কর্ম্মচারীদের কার্য্য-নিয়ন্ত্রণ করবেন গভর্ণমেণ্ট কর্ম্মচারীরা যেন সততার সঙ্গে কার্য্য করেন। এই সম্পর্কে আমি বরিশালের জেলা ম্যাজিষ্ট্রেট Mr. Palmer কে বলেছিলাম, তিনি বললেন Courtএ নালিশ করতে পার। যে এক টাকার চাউল কিনতে পারে না সে যাবে Ccourtএ গভর্ণমেণ্ট officer এর বিরুদ্ধে নালিশ করতে? যারা অত্যাচারী তাদের শাস্তি দিতে দায়িত্ব নিতে হবে সরকারের—তারা সংবাদ পেলে যোগ্য তদন্তের ব্যবস্থা করে দুষ্ট কর্ম্মচারীদের শাস্তি দেন। তা না হলে উপায় নাই। এই কথাগুলি বলতে ম্যাজিষ্ট্রেট সাহেবের বিন্দুমাত্র লজ্জা বোধ হল না। যদি এই জাতীয় ম্যাজিষ্ট্রেটের দ্বারা দেশের শাসনকার্য্য পরিচালিত হয় তাহলে দেশের দুর্ভাগ্যের সীমা থাকবেনা। বর্ত্তমান মন্ত্রি-মণ্ডলীর কাছে বার বার বলছি যেসব রাজকর্ম্মচারী অপরাধী তাদের উপযুক্ত শাস্তি দেওয়া হউক অনেক সময় বড় ছোট চোর ঠেকাইয়া নিজের চুরির পথ প্রশস্ত করে নেয়। বর্ত্তমান মন্ত্রিমণ্ডলিকে অনুরোধ করি যাতে করে তাঁদের কর্ম্মচারীদের দ্বারা জনসাধারণ ক্ষতিগ্রস্ত না হয় সেদিকে দৃষ্টি দিন এবং দুষ্ট কর্ম্মচারীদের সংযত করুন। তাহলে তাদের পকেটও ঠিক থাকবে এবং জন-সাধারণও কতকটা আশ্বস্ত হবে। শুধু তা নয় দুষ্ট কর্ম্মচারিগণের শাস্তি হলে জনসাধারণ মনে করবে যে মন্ত্রিমণ্ডলী সৎপ্রকৃতির। এই অবস্থার সৃষ্টি হলে তারা যেভাবে নিজেদের সুবিধা করে নিতেছেন সে পথ আরও প্রশস্ত হবে জনসাধারণ আর তাদের গোপন ব্যবস্থা অনুসন্ধান করবে না।

Mr. DEPUTY SPEAKER: The question before the House is——

Maulvi AHMED ALI MRIDHA: Sir, may I have your permission to speak on this subject?

Khan Bahadur MOHAMMED ALI: Sir, there are several persons who want to speak from this side.

The Hon'ble Mr. H. S. SUHRAWARDY: I also want to give my reply. (A voice: But you did not rise.) I waited for being called upon by Mr. Deputy Speaker.

Mr. DEPUTY SPEAKER: After the last speech was finished I waited, but nobody cared to rise in his seat. So I have no other alternative but to put the motion. But if you all agree, I will adjourn the House.

Dr. NALINAKSHA SANYAL: Sir, we must hear the Hon'ble Minister.

Mr. DEPUTY SPEAKER: I think no member can finish his speech during this short-time that is still left. Therefore it is desirable to adjourn the House now.

Adjournment.

The House was then adjourned at 6-30 p.m. till 3-15 p.m. on **Monday, the 7th February, 1944, at the Assembly House, Calcutta.**

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 7th February, 1944, at 3-15 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI in the Chair, 13 Hon'ble Ministers and 185 members.

STARRED QUESTIONS

(to which oral answers were given)

Review of cases of security prisoners by Tribunal.

***60. Mr. PRATUL CHANDRA GANGULY:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that the Tribunal constituted to review the cases of the security prisoners have submitted their report in 1942?

(*b*) If so, will the Hon'ble Minister be pleased to state whether the report has since been considered by Government?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the number of security prisoners that have been recommended for release by the Tribunal; and

(*ii*) the number of them that have been released?

(*d*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes.

(*b*) and (*d*) No. I refer the honourable member to the reply given, by the then Minister in charge of the Home Department, to clause (*b*) of starred question No. 54, on the 20th February, 1943.

(*c*) Does not arise.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to tell the House whether there has been any change in the mind of the Government by the change of time?

Khan Bahadur MOHAMMED ALI: Yes, Sir, there has been a change since this Ministry came into office.

Dr. NALINAKSHA SANYAL: With reference to the answer given to question No. 54 on the 20th February, 1943, has the present Government been pleased to consider the desirability of reviving the Tribunal examination of the cases and acting on the recommendation thereof?

Khan Bahadur MOHAMMED ALI: Under the new Ordinance it is not considered necessary now. Every case will be reviewed under the new Ordinance.

Dr. NALINAKSHA Sanyal: In view of the present answer, will the Hon'ble Minister be pleased to state if Government has set up any machinery for regular review of every case as provided in the new Ordinance?

Khan Bahadur MOHAMMED ALI: Yes, Sir.

Dr. NALINAKSHA SANYAL: What is the machinery set up?

Khan Bahadur MOHAMMED ALI: I want notice.

Arrest and detention of Babu Kalipada Sarkar.

***61. Mr. ATUL KRISHNA GHOSE:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) the reason for the arrest of Babu Kalipada Sarkar, the cashier of Messrs. Jessore Loan Co., Ltd.; and

(*ii*) whether he was allowed to go back to his office under police escort to explain and to hand over the charge of the cash and security for which he was responsible?

(*b*) If the answer to (*ii*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) Will the Hon'ble Minister be pleased to state the financial allowance that has been granted to his wife and children?

(*d*) Will the Hon'ble Minister be pleased to lay on the Table a copy of the report of the police with regard to the sanction of the allowance of Mr. Kalipada Sarkar?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) and (*d*) No.

(*b*) On security grounds.

(*c*) An allowance of Rs.15 per month was, at first, granted to his wife and it has been increased to Rs.40 per month.

Delay in transmission of letters of security prisoner Mr. Khagendra Nath Das Gupta, M.L.A.

***62. Mr. KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state the

dates when the following communications of Mr. Khagendra Nath Das Gupta, M.L.A., now a security prisoner detained in the Jalpaiguri Jail, were forwarded by the Home (Jails) Department to their proper addresses—

(*i*) his letter of the 10th February, 1943, addressed to the Secretary, Bengal Legislative Assembly;

(*ii*) his letter of the 12th February, 1943, addressed to the Speaker, Bengal Legislative Assembly;

(*iii*) his letters addressed to Mr. Santosh Kumar Basu, the then Hon'ble Minister in charge of the Local Self-Government Department, dated the 22nd October and 31st December, 1942;

(*iv*) notices of Assembly Questions, dated the 12th January, 1943, addressed to the Secretary, Bengal Legislative Assembly;

(*v*) his application of the 19th March, 1943, marked "very urgent" in red ink praying for leave of absence from the Assembly Chamber addressed to the Speaker, Bengal Legislative Assembly; and

(*vi*) his notices of Assembly Questions, dated the 26th February, 1943, addressed to the Secretary, Bengal Legislative Assembly?

(*b*) Will the Hon'ble Minister in charge be pleased to state whether it is a fact that Mr. Das Gupta sent a letter to the Secretary to the Home (Jails) Department on the 19th March, 1943, drawing his attention to the unusual delay in forwarding his urgent communications to their proper addresses?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether—

(*i*) any reply has been given to that letter; and

(*ii*) any action has been taken on it?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) On the 12th March, 1943.

(*ii*) On the 11th March, 1943.

(*iii*) On the 19th January, 1943, and the 27th February, 1943, respectively.

(*iv*) On the 8th March, 1943.

(*v*) On the 19th April, 1943.

(*vi*) On the 21st April, 1943.

(*b*) Yes.

(*c*) The grievances referred to in the letter were examined and attended to. The strength of censoring staff has since been augmented to prevent delays in the transmission of security prisoners' letters.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to tell the House whether this is the general complaint of all the security prisoners in all the jails?

Mr. SPEAKER: I think this question has been agitated many times in this House. So, no question like that can be allowed.

Khan Bahadur MOHAMMED ALI: I may answer this question.

Mr. SPEAKER: No, you need not.

Increase in the diet allowance of security prisoners.

***63. Mr. PRATUL CHANDRA GANGULI:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that the security prisoners of the Midnapore Central Jail submitted a petition to the Government on the 6th October and another petition to Inspector-General of Prisons on the 11th November, 1942, about the insufficiency of the present diet allowance of 12 annas per diem?

(*b*) Is it a fact that the security prisoners of the Midnapore Central Jail placed their grievances about the insufficiency of the diet allowance personally before the Hon'ble Ministers and the Inspector-General of Prisons on many occasions when they visited the Jail?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble Minister be pleased to state what steps have been taken to redress their grievances?

(*d*) Is the Hon'ble Minister aware that since the introduction of the diet allowance of 12 annas per diem in August, 1942, the market rates approved by the District Magistrate of Midnapore and supplied to the security prisoners by the jail authorities showed enormous rise in prices of foodstuffs every month?

(*e*) Will the Hon'ble Minister be pleased to state the contractor's rates for the supply of foodstuffs to the security prisoners in—

(*i*) August, 1942; and

(*ii*) January, 1943?

(*f*) Will the Hon'ble Minister be pleased to state whether the contractor's rates of the foodstuffs given below are correct:—

	August, 1942.				January, 1943.			
	Rs.	a.	p.		Rs.	a.	p.	
Rice	7	0	0	per md.	17	8	0	per md.
Sugar	14	8	0	,, ,,	29	0	0	,, ,,
Mug dal	14	0	0	,, ,,	20	0	0	,, ,,
Fish	26	14	0	,, ,,	29	15	9	,, ,,
Live fish	29	8	0	,, ,,	39	15	9	,, ,,
Tea	1	3	0	,, lb.	2	6	0	,, lb.
Butter	1	8	0	,, ,,	2	4	0	,, ,,
Bread	0	1	9	,, ,,	0	4	0	,, ,,
Potato	7	8	0	,, md.	9	15	9	,, md.
Eggs	0	9	0	,, doz.	0	15	0	,, doz.
Atta	0	5	0	,, sr.	0	10	0	,, sr.
Flour	0	6	0	,, ,,	0	12	0	,, ,,
Ghee	1	12	0	,, ,,	2	10	0	,, ,,
Meat	22	8	0	,, md.	32	8	0	,, md.
Mustard oil	0	9	0	,, sr.	0	14	0	,, sr.

(*g*) Will the Hon'ble Minister be pleased to state what steps, if any, have been taken for increasing the diet allowance of security prisoners in proportion to the rise in the prices of foodstuffs in the local market?

(*h*) If the answer to (*g*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*), (*b*) and (*d*) Yes.

(*c*), (*g*) and (*h*) I have since issued necessary orders increasing the rate of diet allowance by 100 per cent.

(*e*) I refer the honourable member to the answer to (*f*) of the question.

(*f*) Yes, except that the rates of Polson's Butter, potato and mustard oil in August, 1942, were Rs.1-8-6, Rs.7-12-9 and 8 annas 6 pies, respectively, instead of what has been stated in the question.

Dr. NALINAKSHA SANYAL: With reference to the price of rice which is stated to be Rs. 17-8 per maund in January, will the Hon'ble Minister be pleased to state what was the controlled rate permissible for sale of rice in January, 1943?

Khan Bahadur MOHAMMED ALI: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government have received any representation from the security prisoners inviting their attention to higher charges above the controlled rates being levied for rice, sugar and other things at the Dum Dum Central Jail?

Khan Bahadur MOHAMMED ALI: Government did receive a representation.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what action has been taken thereon?

Khan Bahadur MOHAMMED ALI: It is under the consideration of Government.

Grant of family allowance to Srijut Amarendra Nath Ghosh.

***64. Mr. ATUL KRISHNA GHOSE:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) the reason for the arrest of Srijut Amarendra Nath Ghosh, Pleader, Jessore; and

(*ii*) the family allowance that has been sanctioned for him?

(*b*) Is the Hon'ble Minister aware that—

(*i*) Amarendra Babu's father died while the former was in detention; and

(*ii*) the *sradh* ceremony was done within the jail compound?

(*c*) Will the Hon'ble Minister be pleased to state whether the Government sanctioned any amount for the expense of the *sradh* ceremony either inside the jail or outside the jail?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) The arrest was made with a view to preventing him from acting in any manner prejudicial to the defence of British India, the public safety, the maintenance of public order or the efficient prosecution of the war.

(*ii*) A family allowance of Rs.30 per month was sanctioned for the period the prisoner was in jail; he has since been released.

(*b*) (*i*) Yes.

(*ii*) I have no information.

(*c*) No.

Dr. NALINAKSHA SANYAL: With reference to answer (*a*) (*i*), will the Hon'ble Minister be pleased to state which one of these several items—constituting prejudicial act to the defence of British India or public safety or maintenance of public order or the efficient prosecution of the war—is applicable in the present case?

Khan Bahadur MOHAMMED ALI: That is a matter of legal opinion.

Dr. NALINAKSHA SANYAL: The word "or" has been used. He has been arrested with a view to preventing him——

Mr. SPEAKER: I see your point. Khan Bahadur, you have used the word "or".

Khan Bahadur MOHAMMED ALI: They are all inter-related because if anybody acts in any manner prejudicial to the defence of British India, the one act might infringe all the items that have been mentioned.

Securing of pucca buildings suitable for shelters against air raids.

***65. Sir HENRY BIRKMYRE:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that—

(*i*) about six months ago a survey of the sub-areas in Calcutta was made by the Wardens' Service and *inter alia* lists of pucca buildings suitable for use as public shelters were submitted to Government; and

(*ii*) little progress has been made in securing the use of these pucca buildings as public shelters owing to difficulties in obtaining the consent of the landlords?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, Government propose to take to secure the use of these buildings as public shelters?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) Yes.

(*ii*) and (*b*) The A.R.P. Controller was asked to make amicable arrangements to secure accommodation in masonry buildings as shelters for the *bustee* personnel. The Controller has also been authorised under Defence of India Rule 51 to issue orders on the owners or occupiers of masonry buildings and ask them to make available accommodation for specified number of *bustee* personnel during air raids. Considerable progress was made at the end of 1942 and the beginning of 1943 to secure consent to use pucca buildings as shelters as many left the city and masonry buildings were wholly or partly vacant. The public were also generally apprehensive of air raids. It is now not easy to secure accommodation by consent because there is less public apprehension and the people who left Calcutta have returned and nearly all the accommodation in pucca buildings is fully occupied for residential, business and administrative purposes.

Srijut NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to enlighten the House whether the Ministry will be guided by public apprehension only or by the actual realities of the situation?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I believe the honourable member has not carefully heard the answer, otherwise he would have realised that it is not that the Ministry are guided by public apprehension but the public apprehension against raids having disappeared they are now less prone to give their buildings for shelter purposes

Srijut NARENDRA NATH DAS GUPTA: What method did Government propose to adopt for securing public buildings for A.R.P. shelters?

The Hon'ble Khwaja Sir NAZIMUDDIN: We have put in a comprehensive scheme for bustee dwellers for giving them protection and it is mostly by having slit trenches dug and providing some covered shelters as far as possible for the safety of the bustee people.

Srijut NARENDRA NATH DAS GUPTA: Has the Government given up the idea of securing buildings for the purpose of A.R.P. shelters for the *bustee* people?

The Hon'ble Khwaja Sir NAZIMUDDIN: No As far as possible we are trying to get them and have them for A.R.P. purposes.

Proposed improvement in the method of collection of crop statistics.

***66. Mr. M. A. F. HIRTZEL:** (*a*) Is the Hon'ble Minister in charge of the Agriculture Department aware that—

(*i*) the Royal Commission on Agriculture described the returns of crop areas "as mere guesses, and not infrequently demonstrably absurd guesses"; and

(*ii*) this criticism was endorsed by the Bengal Paddy and Rice Enquiry Committee?

(*b*) If so, will the Hon'ble Minister be pleased to state—

(*i*) what steps, if any, are being taken by Government to improve crop statistics; and

(*ii*) whether Government are considering the desirability of accepting the recommendation of the Bengal Paddy and Rice Enquiry Committee that a Provincial Bureau of Statistics should be established under the direction and control of a first rate statistician?

(*c*) If the answer to (*b*)(*ii*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*d*) If the answer to (*b*)(*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, have been taken to establish the Provincial Bureau of Statistics?

MINISTER in charge of the AGRICULTURE DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) Yes.

(*b*) A scheme for collection of Agricultural Statistics through village organisation on the lines of the Punjab and United Provinces is now under consideration of Government. In the meantime the jute regulation staff is being employed to collect statistics of crops as far as possible.

(*c*) and (*d*) Do not arise.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state when the Government are expected to finish their examination of the scheme for collection of agricultural statistics through village organisation?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: A scheme has already been drawn up and it is now being examined. Once it was sent to the Finance Department, but it was returned and is now being revised. It will be placed before the Finance Department and then to the Cabinet. It may take three months or six months, I cannot say exactly what time it will take.

Babu MADHUSUDAN SARKAR: Will the Hon'ble Minister be pleased to state whether the present statistics of the crop area in possession of Government are a guess-work of Government or collected through any systematically organised body of Government?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: It is more or less a guess-work collected through an organisation of course.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the surplus or otherwise of food crops in Bengal as at present estimated is, as stated by him, a mere guess-work?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: More or less.

Dr. NALINAKSHA SANYAL: Thank you.

Treatment of security prisoner Mr. Nandadulal Sinha.

***68A. Babu KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that—

(*i*) Mr. Nandadulal Sinha of Midnapur, a Communist security prisoner, now detained in Jalpaiguri Jail, has been on hunger-strike since the 11th January this year;

(*ii*) Mr. Sinha has had to resort to hunger-strike as a protest against Government's refusal to accede to his repeated requests to get him thoroughly and properly examined and treated in the Calcutta Medical College Hospital by competent medical authorities;

(*iii*) Mr. Sinha has been complaining for the last three years or more that he has been suffering from chronic duodenal ulcer and excruciating pain in his stomach and that his life has become miserable; and

(*iv*) Mr. Sinha, on the eve of his hunger-strike, submitted two petitions on the 27th and 29th December, 1943, relating the circumstances and causes that have led him to take this extreme course for removal of his grievances?

(*b*) If the answer to (*a*) (*iv*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the Table copies of those petitions?

(*c*) Will the Hon'ble Minister be pleased to state whether it is a fact that immediate cause of his hunger-strike is that he has not been sufficiently and properly examined in the Jalpaiguri Hospital for proper diagnosis of his ailments?

(*d*) If the answer to (*c*) is in the affirmative, is the Hon'ble Minister considering the desirability of—

(*i*) examining his case personally; and

(*ii*) granting the hunger-striker facilities for his thorough examination and treatment in the Calcutta Medical College Hospital for his complicated diseases?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Security prisoner Babu Nandadulal Sinha was transferred from Buxa Special Reserve Jail to the Jalpaiguri Jail for hospital treatment on 4th December, 1943. A special Medical Board had previously examined him in Calcutta who could find nothing wrong and diagnosed the case as one of neurosis. In the Jalpaiguri Hospital he was given a thorough examination. X'ray examination did not reveal anything abnormal and the Medical Officer in charge found no reason to differ from the previous finding of the Medical Board that it was a case of neurosis. The prisoner continued to demand operative treatment although in the opinion of the Medical Officer there was no necessity for any operation. On 29th December, 1943, the prisoner sent a petition for transfer to Calcutta for operative treatment. While his petition was under consideration he

started a hunger-strike on 11th January, 1944, which he gave up on 16th January, 1944. In view of the prisoner's insistence on operative treatment and in the hope that his doubts will be set at rest orders were issued on 15th January, 1944, for his transfer to Calcutta for a further thorough examination. The prisoner has since reached Calcutta and arrangements are being made for his examination and treatment in the Medical College Hospital.

(*b*) No.

(*c*) The prisoner was given a thorough and careful examination and treatment in the Jalpaiguri Hospital.

(*d*) In view of the answer to (*a*) above, does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what is the result of the examination of the prisoner in Calcutta?

Khan Bahadur MOHAMMED ALI: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the prisoner is suffering from duodenal ulcer?

Khan Bahadur MOHAMMED ALI: No, Sir. The medical opinion is that he has nothing wrong in his intestine.

Dr. NALINAKSHA SANYAL: Will the Government be pleased to state what is the ailment the prisoner is reported to have been suffering from for which he has been brought to Calcutta?

Khan Bahadur MOHAMMED ALI: Neorosis There was no real justification for bringing him to Calcutta, but since he insisted on treatment, at Calcutta, for his satisfaction, Government have made this arrangement.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state which surgeon or which eminent physician has examined this patient with a view to ascertain whether he is suffering from deodonal ulcer?

Khan Bahadur MOHAMMED ALI: He was examined by the Civil Surgeon at Jalpaiguri and also by some physicians in Calcutta and he was also X-rayed. There was no sign of duodenal ulcer.

UNSTARRED QUESTION

(answer to which was laid on the table)

Number of Scheduled Caste employees of A.R.P. Services in 24-Parganas discharged.

28. Mr. BIRAT CHANDRA MANDAL: Will the Hon'ble Minister in charge of the Home (Civil Defence) Department be pleased to state—

(*a*) how many Scheduled Caste employees in the A.R.P. in the district of 24-Parganas have been discharged; and

(*b*) how many Muslims were appointed in their places?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Three.

(*b*) None.

Srijut NARENDRA NATH DAS GUPTA: Will the Government be pleased to explain the reason why the employees were discharged?

Khan Bahadur MOHAMMED ALI: One of them submitted resignation and so far as the other two are concerned, I want notice.

Babu MADHUSUDAN SARKER: Will the Hon'ble Minister be pleased to tell us whether any other officers from any other community were discharged?

Khan Bahadur MOHAMMED ALI: I want notice.

HELD-OVER UNSTARRED QUESTIONS

Detention of Srijut Pannalal Mitra.

18. Mr. NISHITHA NATH KUNDU: (*a*) Is the Hon'ble Minister in charge of the Home Department aware that—

(*i*) Srijut Pannalal Mitra, now in the Presidency Jail, has been detained under the Defence of India Rules;

(*ii*) while Srijut Mitra applied on receiving charges against him and on invitation from the Bengal Government, for placing his case for review by the Tribunal constituted by the Bengal Government he was refused on the ground that his case could not be reviewed as he was not detained under the orders of the Bengal Government (*vide* order No. 3223H.J., dated the 27th June, 1942); and

(*iii*) in reply to a question put in the Central Assembly by Mr. K. C. Neogi, M.L.A., in the Budget Session of 1942, the Hon'ble Member-in-charge of the Department replied that Srijut Mitra was arrested under orders of the Bengal Government, and his case would be reviewed by the Provincial Tribunal?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) when; and

(*ii*) under which Government orders Srijut Mitra has been detained?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin). (*a*), (*i*) and (*ii*) Yes.

(*iii*) No.

(*b*) On the 24th January, 1942, the order of his detention under Defence of India Rule 26(*1*) (*b*) was issued by this Provincial Government under instructions from the Central Government.

Mr. NISHITHA NATH KUNDU: In view of the answer to question (*b*), will the Hon'ble Minister be pleased to tell us why the Tribunal refused to consider his case on the ground that his case could not be reviewed as he was not detained under the orders of the Bengal Government?

Khan Bahadur MOHAMMED ALI: As this prisoner was detained under the orders of the Central Government he could not be released without obtaining the consent of the Central Government and so there would have been no point in having his case reviewed. That is also stated in the reply.

Regarding monthly allowance of certain lady prisoners.

19. Mr. ISWAR CHANDRA MAL: (*a*) Is the Hon'ble Minister in charge of the Home (Political) Department aware that—

(*i*) (1) Miss Nirmala Roy, B.A., teacher, (2) Miss Susama Roy, teacher, and (3) Miss Prativa Roy, B.A., teacher, detained in the Presidency Jail have of late applied for monthly allowances;

(*ii*) the aforesaid prisoners have dependants who have been put to great difficulty in the absence of the income of the prisoners due to abnormal rise in the prices of foodstuffs and other necessaries of life; and

(*iii*) these aforesaid prisoners had regular monthly incomes?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the action if any taken on their applications?

(*c*) If no action has been taken on them, is the Hon'ble Minister considering the desirability of sanctioning suitable monthly allowances to the aforesaid prisoners in view of the abnormal economic situation from the dates of their arrest?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) and (*c*) An allowance of Rs.50 per month was first sanctioned by Government in June, 1943, with effect from the 25th September, 1942, for the support of the family of the two sisters Miss Nirmala Roy and Miss Susama Roy. It was paid to their father Babu Monoranjan Roy Chowdhuri. This was raised to Rs.75 per month in August, 1943, with effect from April, 1943, in accordance with the liberal policy of the present Ministry.

The question of the grant of a family allowance to Mrs. Prativa Roy Choudhuri (*née* Roy) is under consideration.

Construction of Abdul Hamid Bridge over the Porawali khal.

20. Dr. SANAULLAH: (*a*) Is the Hon'ble Minister in charge of the Home (Political) Department aware that—

(*i*) the local people raised a subscription of about Rs.2,000 for the construction of the Maulvi Abdul Hamid Bridge over the Porawali khal between the north Madarsha Union Board No. 7 and the Mekhal Union Board No. 6, police-station Hathazari, district Chittagong;

(ii) the skeleton iron structure of the said bridge was completed on two pucca brick heads on either side of the khal in 1940;

(iii) the Collector and the Commissioner recommended to the Political Department for a grant for the said bridge;

(iv) a sum of Rs.976 was granted;

(v) the Finance Department demanded an undertaking for the future maintenance of the said bridge from the local Union Boards; and

(vi) the local Union Board gave the undertaking and yet the said money has not been released?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state—

(i) the reason of withholding the said sum; and

(ii) whether he is considering the desirability of releasing the said amount?

The Hon'ble Khwaja Sir NAZIMUDDIN: (a) (i) Rs.1,000 was raised by the people of the locality.

(ii) Yes, but Government have no information that it was completed in 1940.

(iii) A grant was recommended by the District Magistrate of Chittagong.

(iv) No.

(v) An assurance to this effect was demanded by Government.

(vi) The District Board of Chittagong gave an assurance to maintain the bridge but in view of the declaration of war with Japan further grants from the discretionary fund have been postponed.

(b) Does not arise.

"Grow More Food" campaign in Bengal.

21. Mr. NIKUNJA BEHARI MAITI: (a) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state—

(i) the detailed plan, if any, of the campaign of "Grow more food" in Bengal;

(ii) whether the coastal belt of Bengal is excluded from its operation;

(iii) if so, the definition of the area such excluded;

(iv) what actions, if any, have been so far taken to give effect to the plan;

(v) what organisation, if any, has been set up in the villages for the purpose?

(b) Is the Hon'ble Minister aware that there exists a feeling amongst the growers that the produce grown by them will be taken away by Government for the use of people other than civil population?

(*c*) If so, will the Hon'ble Minister be pleased to state what steps, if any, have been taken to remove the feeling?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (*a*)(*i*) The object of the campaign is to produce more food crops by (1) bringing all the available cultivable land under cultivation of food crops; (2) increasing the areas under different food crops; and (3) increasing the yield. With this end in view seeds have been distributed to the cultivators throughout the Province for sowing on all available lands. Cultivators are also being assisted in obtaining irrigation and manure. Necessary instructions regarding the cultivation of the different crops including vegetables are being given to the cultivators by the district staff of the Agriculture Department.

(*ii*) No.

(*iii*) Does not arise.

(*iv*) A statement showing the schemes sanctioned so far in connection with the campaign is placed on the Table.

(*v*) None, but the Primary Licensing Assistants of the Jute Regulation Department are proposed to be employed in every union for carrying on campaign in the villages.

(*b*) I am not aware of this.

(*c*) Does not arise.

Statement referred to in reply to part (a)(iv) of unstarred question No. 21

	Description of scheme.	Amount sanctioned.
	1942-43.	Rs.
(1)	Scheme for distribution of 250,000 maunds of *aman* seeds ..	16,12,500
(2)	Scheme for distribution of 19,125 maunds of seeds of mustard, gram and lentil	1,57,300
(3)	Scheme for distribution of one lakh maunds of potato seeds ..	15,00,000
(4)	Scheme for distribution of seeds of English vegetables ..	1,00,000
(5)	Scheme for distribution of 261 lakhs of sugarcane cuttings ..	3,15,212
	1943-44.	
(1)	Scheme for distribution of 300,000 maunds of *aman* paddy seeds ..	66,50,000 for seeds and 1,57,512 for staff, etc.
(2)	Scheme for distribution of 15,000 maunds of *aman* seeds for Midnapore	3,75,000
(3)	Scheme for distribution of 48,000 maunds of *aus* seeds ..	7,68,000
(4)	Scheme for distribution of 50,000 maunds of wheat seeds ..	9,00,000

	Description of scheme.	Amoun sanctioned. Rs.
(5)	Scheme for distribution of 42,000 maunds of gram, lentil and mustard	8,68,176
(6)	Scheme for distribution of 100,000 maunds of potato seeds ..	31,57,076
(7)	Scheme for distribution of 56,400 maunds of seeds of substitute crops for flooded areas in West Bengal	13,52,100
(8)	Scheme for distribution of 12,500 maunds of fodder seeds ..	1,25,800
(9)	Scheme for distribution of 14,000 tolas of country vegetable seeds	3,750
(10)	Scheme for irrigation by means of Persian wheels	65,820
(11)	Scheme for supply of vegetables from Darjeeling district to the Defence Services	5,850
(12)	Purchase and distribution of seeds of English vegetables for rural areas	25,000
(13)	Scheme for distribution of seeds of vegetables for Indian and English types for Urban areas	2,09,450
(14)	Authorisation to Collectors to take up small irrigational projects for extension of cultivation up to a limit of Rs. 10,000 per district	2,60,000

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware that large tracts of land were destroyed by water-hyacinth in Eastern Bengal districts?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, I am aware of that.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister tell us what steps, if any, have been taken by Government in order to remove this water-hyacinth in the area in question?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Actions are being taken under the Water-Hyacinth Act to prevent ingress of the water-hyacinth into paddy fields

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister kindly indicate where these steps have been taken—in which district?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: In the Arial Bil and in another place which has recently been sanctioned, —both in the Dacca district.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware that in the district of Tippera in Brahmanbaria subdivision there are large tracts of land which are destroyed by water-hyacinth? Will the Hon'ble Minister please state what steps, if any, have been taken to remove water-hyacinth?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The whole of that area is infested with water-hyacinth. I know that

But no scheme has as yet been prepared. We have just appointed a staff to go into the question of finding out the areas, submitting proposals and dealing with them under the Water-Hyacinth Act.

Dr. NALINAKSHA SANYAL: With reference to the answer that seeds have been distributed to the cultivators throughout the province for sowing on all available lands, will the Hon'ble Minister be pleased to state the number of cultivators who received assistance from Government and their percentage in comparison to the total number of cultivators in Bengal?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: That is not possible, in the case of all the cultivators.

Dr. NALINAKSHA SANYAL: But you have said that in the answer.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I am prepared to say that most of the cultivators who were really in need, have been supplied with seeds.

Mr. SPEAKER: There need not be any discussion over that.

Dr. NALINAKSHA SANYAL: Is it a fact that potato seeds which were purchased were very largely found to be unusable and rotten?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: That does not arise out of this question.

Dr. NALINAKSHA SANYAL: The Hon'ble Minister has said that in the list for 1943-44, item No. 6.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Some of the potato seeds were rotten.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what was the machinery employed for the purchase of potato seeds and what was the loss estimated on this purchase

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The details cannot be given. As regards machinery, it was purchased by the Director of Agriculture through his assistants.

Dr. NALINAKSHA SANYAL: From whom?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Some from Bihar and some from Darjeeling, from merchants and traders.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister in a position to say the name of any one of the contractors who supplied?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I do not know.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us the quantity?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: That I cannot say. We have not got yet the full report.

Mr. DHIRENDRA NATH DATTA: With reference to answer (*a*)(*v*), will the Hon'ble Minister be pleased to state whether the primary licensing assistants proposed to be employed have already been employed for carrying on the campaign in the villages?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: They are being employed.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us whether these primary licensing assistants have really got any technical knowledge on the subject?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: They have been given only some slight training regarding preparation of composts and digging of manure pits.

Drainage in certain place in Chittagong.

23. Dr. SANAULLAH: (*a*) Is the Hon'ble Minister in charge of the Agriculture Department aware that in these days of "Grow More Food" campaign a vast area of cultivable land is lying fallow on the northern side of the Paindaung Khan in police-station Fatikchari in the district of Chittagong for want of proper drainage?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action the Government propose to take in the matter?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN: (*a*) Yes.

(*b*) A scheme was prepared for the reclamation of the area as an anti-malarial measure but no progress could be made on account of the inability of the district board to contribute any share of the cost. The matter is being further examined in connection with the "Grow More Food" campaign.

Dismissal of a certain A.R.P. warden from service.

24. Dr. NALINAKSHA SANYAL: (*a*) Will the Hon'ble Minister in charge of the Home (Defence) Department be pleased to state—

(*i*) the authority or authorities responsible for the—

(1) appointment,

(2) dismissal,

(3) leave, and

(4) hearing of grievances of the A.R.P. wardens in Calcutta; and

(*ii*) the functions and responsibilities in these respects of—

(1) the Minister in charge of Home and Civil Defence Co-ordination Departments,

(2) the Central and Area Advisory Committees,

(3) the Controller,

(4) the Deputy Controller,

(5) Officer in charge, and

(6) staff officers of the Wardens' Service?

(*b*) Will the Hon'ble Minister be pleased to state whether it is a fact that—

(*i*) great discontent exists in the rank and file of the Wardens' Service due to the absence of any suitable machinery for giving them a sympathetic hearing on their grievances;

(*ii*) the staff officer, Ballygunge South, tried to arrange a theatrical performance during the last *Puja* holidays and required a number of wardens to take part in the same along with some girls;

(*iii*) Warden No. 81 of Warden Post No. 7, Ballygunge, refused after a few days, to participate in such a theatrical performance;

(*iv*) he was ordered to be fined Rs 5 by the staff officer on the 6th November, 1942, for this;

(*v*) on the 12th November, 1942, the said warden formally brought a complaint against the staff officer to the notice of the officer in charge and also of the Deputy Controller, Wardens' Service;

(*vi*) on the 2nd December 1942, the warden was served with a letter No. 977A.R.P.(W) dated the 1st December, 1942, from the Officer in charge, Wardens' Service, South, containing some alleged charges against him;

(*vii*) he duly met those charges and refuted the allegations;

(*viii*) on the 14th December, 1942, the Officer in charge, Wardens' Service, South, issued order to discharge Warden No. 81 with effect from the 8th November, 1942; and

(*ix*) his pay was refused after 8th November, 1942?

(*c*) If the answer to (*b*)(*v*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, has been taken on the petition of the Warden, dated the 12th November, 1942?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*)(*i*)(1) A.R.P. Controller and the Officer in charge, Wardens' Service.

(2) A.R.P. Controller regarding all A.R.P. wardens, paid and unpaid, and the Officer in charge, Wardens' Service, as regards paid members of the Wardens' Service.

(3) I. Casual leave. Under the Rules the A.R.P. Controller and the Commissioner of Police and such other persons as may be authorised by them

and Chief Air Raid Wardens can grant such leave. In practice, the Commissioner of Police has nothing to do with the A.R.P. services and the rules are under revision in this respect. The A.R.P. Controller has authorised the Officer in charge, Wardens' Service, to grant such leave.

II. Disability leave. A.R.P. Controller.

III. Leave on account of illness. A.R.P. Controller and any other gazetted officer authorised by him in this behalf. The A.R.P. Controller has authorised the Officer in charge, Wardens' Service, as regards such leave for the wardens.

(4) All officers superior to the warden in the A.R.P. service hear grievances.

(*ii*) (1) and (2) None.

(3) He can appoint, dismiss and grant all kinds of leave to, and hear grievances of, all wardens.

(4) He has no authority to appoint or dismiss or grant leave to wardens. He can hear grievances from all wardens.

(5) He can appoint or dismiss paid wardens. He can grant casual and medical leave but cannot grant disability leave He can hear grievances from all wardens.

(6) They cannot appoint or dismiss any wardens, nor can they grant any kind of leave They can hear the grievances of all wardens under them.

(*b*)(*i*) and (*iv*) No.

(*ii*) A performance was proposed Some post wardens proposed also the inclusion of women wardens but the staff officer rejected the proposal. The performance was not held.

(*iii*), (*v*), (*vi*), (*viii*) and (*ix*) Yes.

(*vii*) No. His explanation was found unsatisfactory.

(*c*) The Officer in charge, Wardens' Service, made an enquiry into the allegation against the staff officer and found no cause to interfere.

Dr. NALINAKSHA SANYAL: With reference to answer (*b*)(*viii*) and (*ix*) where it is stated that warden No. 81 was discharged on the 14th December, 1942, with effect from 8th November previous to that and that his pay was refused after the 8th November, 1942, will the Hon'ble Minister be pleased to state why was it that a man who worked up to the 15th December was not given his pay and why was it that he was discharged with retrospective effect?

The Hon'ble Khwaja Sir NAZIMUDDIN: I believe a great many of supplementary questions of Dr. Sanyal would be reduced if I were to tell him that the real difficulty in this case is that this officer instead of filing his appeal to the Controller has come and laid his grievance in this fashion. If he had filed his appeal before the Controller and if that had been rejected, then Sir, as far as the Government are concerned they would have interfered.

But at the present time I know he appealed to the Officer in charge. But the matter should have been brought to the notice of the highest authority as far as A.R.P. is concerned, i.e., the Controller who is responsible for all these things. This officer did not do so and I would still advise him to place all the facts before the Controller and if he could not get his grievances redressed then, Sir, he could always submit a memorial to Government and I promise to look into his case fully.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that on the 12th November this warden had actually put in a petition addressed to the Deputy Controller, A.R.P., who is the first man to whom all appeals should be sent and that no redress was given on that appeal?

The Hon'ble Khwaja Sir NAZIMUDDIN: Was that after dismissal?

Dr. NALINAKSHA SANYAL: Yes, after dimissal, he filed an appeal to the Officer in charge.

The Hon'ble Khwaja Sir NAZIMUDDIN: And then?

Dr. NALINAKSHA SANYAL: No reply. I have got receipts for all the letters sent.

The Hon'ble Khwaja Sir NAZIMUDDIN: After he was dismissed I know he appealed against that order to the Officer in charge and that was rejected. Then, the obvious course for him was to put in an appeal through the Officer to the Controller against that order.

Dr. NALINAKSHA SANYAL: From the answer, does it not strike the Secretary of the Department or the Minister in charge that they should ascertain what step was taken to see that the man at least got his salary up to the time he actually worked?

The Hon'ble Khwaja Sir NAZIMUDDIN: That I consider is a minor matter in comparison with his other grievances. If that is the only question in which the honourable member is interested, I promise to look into it.

Dr. NALINAKSHA SANYAL: With reference to answer (*b*)(*i*) where it is said "no", will the Hon'ble Minister be pleased to state if it is a fact that several Wardens in the same sub-area, Ballygunge South, actually did tender resignation after forwarding applications of protest to the Officer in charge in connection with the maltreatment that they were receiving at the hands of the Officer in charge of the sub-area, Ballygunge South?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am not aware of that.

Dr. NALINAKSHA SANYAL: Is it a fact that the following officers, viz., Messrs. P. N. De, H. Sen Gupta, R. Guha and K. Dutt resigned in the month of January, 1943, as a protest against the manner in which they were being treated and in particular as a protest against the unfair and unjust treatment meted out to Post Warden No. 81, the person in question?

The Hon'ble Khwaja Sir NAZIMUDDIN: I submit—and I would particularly draw your attention to it—that no mention of any such thing is made in the question and as such it is not possible for me to give any answer.

Dr. NALINAKSHA SANYAL: There is a sheaf of applications showing discontent.

Mr. SPEAKER: That is a matter of argument.

Dr. NALINAKSHA SANYAL: With reference to question (*b*)(*iv*) whether he was ordered to be fined Rs. 5 by the Staff Officer on the 6th November, 1942, for not participating or refusing to participate in a theatrical performance to which the answer given is "no", will the Hon'ble Minister be pleased to state if on page 250 of the Log Book of the Post Warden there appears an entry where it is stated "Received a telephone message from the Staff Officer, South, that he is going to fine Warden No. 81 Rs. 5 for disregarding the order to participate in a theatrical performance and an endorsement therein by the Staff Officer himself "yes"? Has the attention of the Government been drawn to the Post Warden's Log Book?

The Hon'ble Khwaja Sir NAZIMUDDIN: The fine was not confirmed. It was merely a threat of fine.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether it is a fact that from the salary given to this Warden in the subsequent month Rs 5 was actually deducted for which no receipt was given to him?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is where the difficulty comes. How could it be proved if there was no receipt?

Dr. NALINAKSHA SANYAL: A complaint was made to that effect. Is it a fact that on the 12th November, 1942, the Warden in question submitted an application to the Officer in charge, Wardens Service, and forwarded a copy to the Deputy Controller, Calcutta, where he definitely writes that he has been fined Rs. 5 for his failure to attend the rehearsal of a theatrical performance in the sub-area?

The Hon'ble Khwaja Sir NAZIMUDDIN: Yes, that is why I can say that the fine was not actually imposed. He was simply threatened that he would be fined and on that he submitted a protest That is admitted, but it is nowhere admitted that actually the fine was realised.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what enquiry was made of the person affected if he had actually been mulcted of Rs. 5 by the Staff Officer in question?

The Hon'ble Khwaja Sir NAZIMUDDIN: No enquiry was made, because, as I stated before, this officer had not exhausted his right of appeal and therefore Government were not in a position to interfere. We only interefere in those cases where an employee after having had exhausted his

right of appeal and finding his grievances not redressed, then comes up to Government. Then I look into the case myself. But in this case the question of enquiry from the officer who was fined did not arise.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that the questioner personally invited the attention of the Deputy Controller, Wardens' Service, to the injustice made to him and also invited his attention to this matter requesting him to examine the appeal and when this Warden in question was taken to his presence, he was insulted and turned out of the room?

The Hon'ble Khwaja Sir NAZIMUDDIN: Is the honourable member referring to the Deputy Controller, Wardens' Service?

Dr. NALINAKSHA SANYAL: No, Deputy Controller, A.R.P., Mr. S. K. Dey, I.C.S. I wrote a letter to him forwarding this gentleman's petition subsequent to this incident, and when he saw him he was turned out of the room.

The Hon'ble Khwaja Sir NAZIMUDDIN: If that is so, I will look into it.

Dr. NALINAKSHA SANYAL: With reference to answer (*a*)(*i*), will the Hon'ble Minister be pleased to state if it is a fact that several senior Wardens of Post No. 10 and also of Post No. 8 who were much better qualified to hold the post of Post Warden were superseded by non-Matrics from other posts outside the area and were given charge of the respective posts in spite of the fact that they were the most popular Wardens of these respective places?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I do not know if there is any justification for holding that opinion. The officer concerned is the best judge as to who is the most suitable person, when making such appointments.

Dr. NALINAKSHA SANYAL: With reference to answer (*b*)(*ii*), namely, that the Officer in charge did not endorse the proposal for inclusion of girls in the theatrical performance but as matter of fact he rejected the proposal, will the Hon'ble Minister be pleased to state whether it is not a fact that two girls, namely, Indu Shome of 7, Mullen Street, and Sneha Tarafdar were actually induced by him and nobody else?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would like to draw the attention of the honourable member to the fact that actually the performance was not held and it was some Post Wardens who had proposed the inclusion of women Wardens.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if any enquiry was made into the matter? Here is a specific allegation which went up to the Hon'ble Minister to draw his attention that a theatrical performance was arranged. Now, my question is, whether, before accepting this answer that it was the Staff Officer who was an angel and

others were guilty, any enquiry was made and any attempt was made to ascertain whether it was the Staff Officer whose conduct was resented by the Wardens or the Wardens' conduct was resented by the Staff Officer?

The Hon'ble Khwaja Sir NAZIMUDDIN: Whatever it may be, in view of the fact that the performance was not held, we felt that there was no further enquiry necessary.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the Staff Officer was actually found drunk by the Deputy Controller, Wardens' Service, one day and chastised as a result thereof?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not think it is a fact.

Dr. NALINAKSHA SANYAL: What is the present position this officer is holding?

The Hon'ble Khwaja Sir NAZIMUDDIN: I want notice.

Dr. NALINAKSHA SANYAL: Is it a fact that the Staff Officer has since been degraded and taken over to another area?

The Hon'ble Khwaja Sir NAZIMUDDIN: I want notice.

Dr. NALINAKSHA SANYAL: Is it a fact that the Staff Officer in this particular case actually began finding fault with the Warden in question after the Warden had actually put in a petition against him to the Deputy Controller, Wardens' Service?

The Hon'ble Khwaja Sir NAZIMUDDIN: As I have already said I am not in a position to answer this question for the simple reason that we called for a report from the Controller, and the Controller's remark was that this officer had the right of appeal but he did not do that, and naturally I felt that the best thing for this officer, if he wants his grievances redressed, is to go and appeal to the Controller, and if he does not get his grievances redressed, he should memorialise to the Government, and then I will look into it.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government is considering the desirability of making it easier for the Wardens who are doing strenuous work during the present emergency, to put in their grievances in an easier manner to some sympathetic person who could be expected to deal with them immediately?

Mr. SPEAKER: Dr. Sanyal, you are putting too many things together. Please put it in another form.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government would consider the desirability of asking this complainant concerned who was not being paid his salary for one month and over for no fault of his, to appear before any Secretary of the Government and place his grievances before him for an enquiry?

The Hon'ble Khwaja Sir NAZIMUDDIN: Not unless and until he has appealed to the Controller.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he would ask the Controller to look into the grievances if a complaint is made to him?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is not a question of asking the Controller to look into it: the man has the right of appeal, he has got to appeal to the Controller. If he does not get his grievances redressed there, he has the right to memorialise to the Government, and I promise, then I will look into it.

Family allowance to certain security prisoners.

25. Babu JNANENDRA CHANDRA MAJUMDAR: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether—

(*i*) security prisoners Babu Kalinarayan Sanyal of Balurghat (Dinajpur), Dr. Birendra Nath Bhattacharya of Hili (Dinajpur), Dr. Ananta Kumud Saraswati of Dinajpur Town, Babu Sudhir Kumar Adhikari of Dinajpur Town and Babu Akalu Koiry of Hili (Dinajpur) applied to the Government for the grant of family allowances;

(*ii*) Babu Kalinarayan Sanyal, Dr. Birendra Nath Bhattacharya and Dr. Ananta Kumud Saraswati were the sole earning members of their families;

(*iii*) their earning was about Rs.100 per month;

(*iv*) Babus Sudhir Kumar Adhikari and Akalu Koiry were earning about Rs.50 per month; and

(*v*) Sudhir Babu used to maintain his family with his earning?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action has been taken by the Government on those petitions?

(*c*) Is the Hon'ble Minister considering the desirability of granting them family allowances according to the policy stated in the Government Press Note issued in September last?

(*d*) If not, will he be pleased to state the reasons thereof?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*)(*i*) Yes.

(*ii*) and (*iii*) I have no information about Birendra Babu. Kalinarayan Babu was, as far as I know, the sole earning member of his family but not so was Ananta Babu. My information is that their earnings were much below the figure given by the honourable member.

(*iv*) My information is that the monthly earning of Babu Sudhir Kumar Adhikari did not exceed Rs.50 per mensem and that of Akalu Koiry did not exceed Rs.20 per mensem.

(*v*) My information is that the joint family to which Sudhir Babu belongs, was not solely dependent on his earning. One of his brothers also has an income and the family have landed property as well.

(*b*), (*c*) and (*d*) Family allowances have been sanctioned to all of the security prisoners of whom Babus Birendra Nath Bhattacharji, Kali Narayan Sanyal and Akalu Koiry have since been released.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state the amounts of allowance granted to Dr. Ananta Kumud Saraswati and to Babu Sudhir Kumar Adhikari?

Khan Bahadur MOHAMMED ALI: Dr. Ananta Kumud Saraswati was granted an allowance of Rs. 25 per month with effect from 19th September, 1942, and Babu Sudhir Kumar Adhikari an allowance of Rs. 15 per month.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state what were their previous earnings?

Khan Bahadur MOHAMMED ALI: Dr. Ananta Kumud Saraswati had an earning of Rs. 50 approximately per month and Babu Sudhir Kumar Adhikari had an approximate earning of Rs. 25 to Rs. 30 per month.

GOVERNMENT BILL.

The Bengal Finance (Sales Tax) Amendment Bill, 1944.

Mr. SPEAKER: At the outset I have got to put the motion for the consideration of the Bill.

The motion of the Hon'ble Mr. Tulsi Chandra Goswami that the Bengal Finance (Sales Tax) Amendment Bill, 1944, be taken into consideration was then put and agreed to.

Clause 1

The question that clause 1 stand part of the Bill was then put and agreed to.

Clause 2.

Dr. NALINAKSHA SANYAL: I beg to move that in clause 2(*a*), line 2, for the proposed words "one half", the words "one third" be substituted.

Sir, in the Act provision has been made by section 5 that the tax payable by a dealer under this Act shall be levied at the rate of one quarter of an anna in the rupee on the taxable turnover.

Sir, we have fought hard on the ground that there should be no increase whatever and we have submitted for the consideration of this House that at the present moment with the pitiable economic condition of the province there should be no attempt to levy any additional taxation, but, Sir, unfortunately for us, that view of things has not been accepted by the majority of the House. In the circumstances, I propose the next lesser

evil, namely, that the rate proposed to be enhanced be not enhanced by 100 per cent. but only by a little more, namely, 33 per cent. The present rate leviable is 3 pies in the rupee. I am proposing 4 pies in the rupee or one-third of an anna. My arguments for exempting Bengal from further taxation hold equally true in favour of my submission that there should not be a higher charge than one-third of an anna where Government proposes half an anna.

On the previous occasion, Sir, I had been talking *in extenso* about the various drawbacks of the present legislation and while I was discussing one important aspect of the hardships at present experienced, namely, hardship of left cases, as they are now known, the time was up and I could not submit for the consideration of the House the other points which I had then in view. I would like to take this opportunity of completing my arguments because some of those arguments apply equally to the case of not permitting a very high rate at this stage. The left cases, as I mentioned on the last occasion, are those cases in which the parties concerned—the assessees or registered dealers—had suddenly to leave Calcutta in the latter part of December, 1942, and early in January, 1943, due to the bombing of Calcutta and the emergency as a result thereof. At that stage, Government was issuing notices of assessment by registered post and notices were duly arriving to the parties concerned because the machinery of postal distribution is yet admittedly more dependable than service through process-servers. A large number of registered letters, however, had come back. As a result, Government had to devise some other machinery for complying with the requirements of the Act, namely, issuing of notices, and so thereafter they appointed a number of process-servers. These process-servers, as is well known to many members of this House, were often hanging notices on the premises or even without hanging them declaring that the notices have been served—what is in common parlance known as লট্‌কে জারী করা . This practice of লট্‌কে জারী করা has resulted in assessees not knowing at all that they have been assessed and a certain tax has to be paid by them. But, Sir, after a lapse of two months when the person comes back and he discovers that there was a notice at one time supposed to have been served on him, he is debarred the right of appeal because the time is gone. Numerous cases thus are happening in which persons who had left Calcutta, not with an idea of defeating Government's purpose nor with a view to defraud Government out of their legitimate dues, are now experiencing great trouble.

Mr. SPEAKER: Dr. Sanyal, is this relevant to the point under discussion?

Dr. NALINAKSHA SANYAL: Sir, I have already given an apology in the beginning that this higher rate will apply to the people more and more rigorously because at the present moment they are suffering under certain circumstances. I am going to dilate on these.

Mr. SPEAKER: But please be very short.

Dr. NALINAKSHA SANYAL: Yes, Sir, I shall be short. As a matter of fact, I shall not repeat any arguments. You were also pleased to state the other day that I could take another opportunity to clear up my points. Today we have started earlier than the programme.

Sir, these left cases should be more liberally treated for otherwise many *bona fide* merchants who are now coming back and intend to carry on business in a lawful manner have, for no fault of their own, got to take recourse to methods which are not quite proper or in all cases very straight.

Sir, I submit that while they are increasing the rate of taxation, Government should see as far as practicable that all items that are causing hardship are eliminated. In section 14 of the Act, similarly, there is a provision for seizing the documents and accounts. This is likely to cause great hardship and in case the Hon'ble Minister in any future date is in a position to examine the provisions of this Act for a thorough revision, he might be good enough to examine if the rigours proposed therein might be relieved. I do not of course propose here to throw any reflection on the present officers of the department and I do not say that they have been abusing the powers given to them, but, Sir, this is a matter which requires enquiring into.

Section 20, Sir, provides for appeals. Section 20(*3*) mentions the possibility of appeal to the Board of Revenue. In connection with another debate I had submitted during the last Budget Session that the Board of Revenue appeals have practically been reduced to a farce, because the Board hardly even gives any hearing and there is no regular rule or procedure by which aggrieved persons can bring matters before the Board and compel hearing as is provided under the Civil Procedure Code. Sir, it may be claimed by the department that there is one appeal provided and the Board is more or less acting as a revisional authority and an analogy may be sought to make that as a revisional authority, the Board may or may not give a hearing to a party, but on the papers laid before them may come to a decision. To this probable argument, Sir, I submit that when we have in the ordinary course of law the revisional authority vested, there are two stages of appeal provided, the first appeal and the second appeal as in the ordinary criminal cases vis-à-vis the High Court's revisional powers. Unfortunately, Sir, in the sales tax——

Mr. SPEAKER: Dr. Sanyal, you are absolutely irrelevant. You cannot bring in the question of revision and all these things. This is not fair and this is fair to none. Take some other opportunity to state all those things.

Dr. NALINAKSHA SANYAL: It was only due to your indulgence that I was speaking. I am not claiming my right. It is only because you are good enough to suggest to me to take up another opportunity to speak that I will only mention two points and then finish.

This is a question which may be enquired into and the other question that I had in mind was regarding section 11(*3*) and the receipt of notice under section 11(*3*) as provided under section 21, and I submit that this

notice ought to have been from the date of knowledge of the person and not the date of issue or service by the process of hanging on the door of the persons concerned.

Mr. SPEAKER: I do not think I can allow you to speak like this, viz., bringing in the question of notice, revision, etc.

Dr. NALINAKSHA SANYAL: I shall only draw the attention of this House to one more point and finish and that is with regard to fees. I believe that under the Sales Tax Act and the rules made thereunder fees have been determined under sub-section (*p*) of section 26. Fees payable for appeal under rule 81 have been fixed at 5 per cent. of the tax in dispute. Under the Indian Income-tax Act only eight annas is charged for first appeal and here Government is collecting lakhs and lakhs of rupees as fees payable just for appeals put in. It is my information that from one Assistant Commissioner only Government have collected a lakh of rupees by way of stamp duties alone.

Mr. SPEAKER: No more of these things.

Dr. NALINAKSHA SANYAL: No, Sir. I submit that while Government is thinking of increasing the rate, there should be a corresponding relief provided in various other directions and if relief does not go with increment of rate, hardship will be all the more rigorous.

With these words, Sir, I place my motion for consideration of the House that the rate should not be increased by 100 per cent., to six pies from 3 pies, but at most the increment may be allowed to four pies, so that the Government of India may be given a soothing reply that we have sought to enhance the rate, but the province cannot bear any more burden than this.

(Dr. Sanyal rose to move his next motion.)

Mr. SPEAKER: Dr. Sanyal, just be relevant.

Dr. NALINAKSHA SANYAL: Sir, I do not require your admonition I have already submitted my explanation and I for myself shall not talk irrelevant although this has been necessary in the circumstances of the case.

Sir, clause 5, sub-clause (*b*), provides that one per cent. of the balance remaining after making deduction of the allowance under sub-clause (*a*) would be exempted or deducted from the taxable turnover in calculating the net taxable turnover. To that a motion has been tabled by the Hon'ble Minister in charge that instead of one per cent. three per cent. be substituted. I beg to move that in clause 2(*b*), line 2, for the proposed words "three *per centum*" the words "five *per centum*" be substituted. I propose that instead of the original provision of one per cent. with the increased rate contemplated by Government, the corresponding deduction allowed ought to be at 5 per cent. in my humble estimate and my reasons are simple. On

the previous occasion, Sir, I had mathematically proved that if only three per cent. is allowed to the merchant—— .

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: The difference was ·18 of a pie.

Dr. NALINAKSHA SANYAL: Not ·18 but one-eighth per cent. But even that is a difference against the merchant.

Sir, I have demonstrated that with the exemption of three per cent. only, the merchant will yet have one-eighth per cent. against him and if 3⅛ per cent. would have been allowed, it would just cover the additional tax. But I submit, Sir, that is not all a merchant is suffering from. Here is a tax which Government is collecting without any collection charge at all and the merchant is maintaining accounts, issuing receipts and keeping registers only to help and assist Government to receive the amount of money. For all the services that the merchant is rendering what are the Government proposing to give him? Nothing. On the contrary, in some cases, Government are likely to encroach upon the price itself. I therefore submit that if Government are intent on raising the rate, there should at least be some consideration shown, so that the merchant can feel that for the trouble and worry and labour involved and expenses also undertaken to realise the amount, Government is making some little consideration, however small, and therefore I am pressing that instead of 3⅛ per cent. which would just cover the case, let him be given 1⅞ per cent. more and 5 per cent. of exemption on the total obtained after the exemptions in clause (*a*) are provided. This would at least give him some consolation that there has been some attempt to cover the actual costs for realising the sum from the customer in order to help Government in collecting the revenue.

Sir, I beg also to move that after the clause 2(*a*), line 2, the following proviso be added to section 5, sub-section (*1*) of the Act, namely:—

> "Provided that the tax shall not be leviable more than once on any 'goods' in the course of its transit from the producer or importer to the ultimate consumer."

I had explained on a previous occasion that in many cases there was a possibility and there had actually been instances of double taxation. I submit for the consideration of this House that originally when we passed this legislation, we never intended that this tax should be levied more than once. It was called one-point tax It was never contemplated that the Government would levy this tax on any commodity more than once in its transit from the producer or the importer to the consumer. It is not a turnover tax but one-point Sales Tax. In order to make that position clear because there had been occasions when in the absence of a clear provision to that effect disputes could not be dealt with by the officers of the department and no relief could be given even where they were convinced that double taxation was resorted to, I am seeking to clarify the intention of the Act, because the courts of law would not go by the intention nor by the speeches of the Ministers in charge when they introduced a legislation in

this House, but they would go by the actual wording of the Act itself. Therefore, I am only trying to clarify it by adding these words that the tax shall not be leviable more than once on any goods in the course of its transit from the producer or importer to the ultimate consumer. I am making this submission at this stage further in view of the fact that the rate is going to be enhanced. In Madras, the rate that is levied is ¼th of a pie and that has been slightly enhanced since. It was originally intended to be ⅛th of a pie for each turnover. The reduced rate there provided was really meant to cover levy at different stages and for every transfer of ownership from one hand to another. When the rate is high, obviously the burden should be minimised by making it obligatory that there may not be any repeated or double taxation. Now that the rate is being raised higher up still, it is all the more necessary that this point should be clarified by a suitable provision in the Act itself. I may at this stage invite the attention of the Hon'ble Minister in charge through you to sub-section (*vi*) of sub-section (*a*) of section 5(*2*) where Government have been given the power to prescribe such sales as they would like under the rules for exemption. So far they could have under this authority made it clear in one of the rules that they do not intend to tax any "goods" twice and the articles which have already been taxed once will be exempted, if proper proof can be produced to the satisfaction of the taxing authority. In case the Hon'ble Minister in charge is not in a position to accept my amendment which, according to my humble submission, would make the meaning clear beyond all doubt, he would give the House some idea if he would be in a position to include such a provision in the rules as would have a similar effect, because I believe the Hon'ble Minister in charge and the party which is now supporting the Government would bear me out that it was never the intention of the legislature to permit double taxation.

With these words, I place my amendment before the House for its acceptance.

Mr. SPEAKER: The question before the House is——

Dr. NALINAKSHA SANYAL: Will not the Hon'ble Minister reply?

Mr. SPEAKER: He says that he is not going to reply. You cannot compel a Minister to reply.

Dr. NALINAKSHA SANYAL: No.

Mr. DHIRENDRA NATH DATTA: We shall take it that the Hon'ble Minister has no reply.

The motion of Dr. Nalinaksha Sanyal that in clause 2(*a*), line 2, for the proposed words "one-half", the words "one-third" be substituted, was then put and a division taken, with the following result:—

AYES—51.

Abdul Majid, Maulvi (Mymensingh).
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Aslamuddin Ahmed, Mr.

Banerjee, Mr. Promatha Nath.
Banerji, Mr. P.
Barat Ali, Mr. Md.
Barma, Mr. Puspajit.
Barman, Mr. Upendra Nath.
Basu, Mr. Santosh Kumar.
Biswas, Mr. Surendra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Narendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Edhar, Mr. Upendranath.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, Nawab Bahadur K., of Dacca.
Idris Ahmed Mia, Maulvi.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kunda, Mr. Rishitha Nath.
Lahiri, Babu Ashutosh.
Mahatab, Maharajadhiraja Bahadur Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nandy, Maharaja Srischandra, of Cossimbazar.
Naskar, Mr. Hem Chandra.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamakrishna.
Roy, Mr. Kiran Sankar.
Sanaullah, Dr.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Sur, Mr. Narendra Kumar.

NOES—76.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Wahab Khan, Khan Bahadur.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdus Shahed, Maulvi Md.
Abul Fazl, Mr. Md.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Amir Ali Mia, Maulvi Md.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Barma, the Hon'ble Mr. Premhari.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Manmohan.
Dass, Babu Debendra Nath.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Goswami, the Hon'ble Mr. Tulsi Chandra.
Gupta, Mr. J. N.
Hafizuddin Choudhuri, Maulvi.
Jalaluddin Ahmad, the Hon'ble Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kumar, Mr. Atul Chandra.
McPherson, Mr. S. P.
Mafizuddin Ahmed, Dr. (Bogra).
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).
Mandal, Mr. Amrita Lal.
Mandal, Mr. Sanku Behari.
Mandal, the Hon'ble Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Manirudin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Mosiem Ali Mollah, Maulvi M.
Muhammad Abdul Halim Molla, Mr.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjea, the Hon'ble Mr. Taraknath, M.B.E.
Mullick, Mr. Mukunda Behary.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noorudda, Mr. K.
Pain, the Hon'ble Mr. Barada Prosanna.
Razzar Rahman Khan, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Walker, Mr. J. R.
Whitehead, Mr. R. B.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.
Zilur Rahman Shah Choudhury, Maulvi.

The Ayes being 51 and the Noes 76; the motion was lost.

(The House was then adjourned for fifteen minutes.)

(After adjournment.)

Mr. SPEAKER: Order, order. I shall now put the remaining amendments to clause 2 to vote.

The question before the House is the amendment No. 17 moved by Dr. Nalinaksha Sanyal——

Dr. NALINAKSHA SANYAL: May I submit that the Minister in charge is not here?

Mr. SPEAKER: That does not matter.

Dr. NALINAKSHA SANYAL: On a point of order, Sir.

Mr. SPEAKER: Not at this stage.

The motion of Dr. Nalinaksha Sanyal that after clause 2(*a*), line 2, the following proviso be added to section 5, sub-section (*1*) of the Act, namely :—

"Provided that the tax shall not be leviable more than once on any 'goods' in the course of its transit from the producer or importer to the ultimate consumer," was then put and lost.

The motion of Dr. Nalinaksha Sanyal that in clause 2(*b*), line 2, for the proposed words "three *per centum*" the words "five *per centum*" be substituted, was then put and lost.

The question that clause 2 stand part of the Bill was then put and agreed to.

Clause 3.

Dr. NALINAKSHA SANYAL: Sir, I beg to move that in clause 3, line 3, for the word "substituted" the word "added" be substituted.

Sir, the exemption schedule to section 6 as given on page 15 of the Act, has, under item 16, handloom-woven cloth exempted, when such cloth is sold by a dealer who does not sell any other kinds of cloth. This exemption was, in my humble view, provided with the sole object of encouraging industries, particularly in the interest of the large number of weavers in the various districts of this province. The Hon'ble Minister in charge has sought to move an amendment by which he seeks to delete this exemption and substitute for the same another category of exemption covering not only hand-loom cloth of a certain class but also mill-made cloth. The object of this is avowedly to exempt what the Hon'ble Minister in charge thinks the poor man's cloth and he has taken only three classes of cloths which in his opinion are ordinarily used by the common poor men of Bengal, namely, *dhoti*, *lungi* and *saree*. He has stated that the Government would be given power to fix prices instead of fixing the standard of cloth and prices would be the criteria as to whether a cloth would come under the mischief of the taxation or not. Obviously the advisers of Government think that price factor is a better method of ascertaining whether a particular cloth is going to be consumed by the poorer section of the people or not. While appreciating the exemption sought to be

provided for mill-made cloths of a particular category we on this side of the House feel, as I have already made clear on a previous occasion, that the real intention of Government in introducing this amendment is to include certain classes of hand-loom cloth and silk and Shantipur and Dacca weavers' finer category of cloths which at the present moment stand exempted. It may be argued that persons who buy a Dacca *saree* or a Shantipur *dhoti* with a price two or three times higher than the normal price of mill-made cloth of corresponding variety would obviously be in a position to bear a little more out of the Sales Tax and would cheerfully buy the same. I submit, Sir, that this would be a very wrong view of things. Sir, I come from Murshidabad and I know for certain what margin of profit is ordinarily left for the actual weaver who has to buy his yarn from some *mahajan* or at the present moment through some co-operative or Government agency after the control is introduced, and the margin of profit including the wages that he gets is so low that any encroachment on the same would very severely and adversely affect his work. I, therefore, submit that instead of deleting the present exemption of hand-loom cloth of all categories, let the Hon'ble Minister be satisfied with adding a list to this list of exemptions, the list which he has so very generously claimed will exempt the poor men's cloth as stated in his amendment in clause 3.

In this connection, Sir, shall I move the other amendments also?

Mr. SPEAKER: Yes, you are permitted.

Dr. NALINAKSHA SANYAL: I have another amendment to the same clause which I move, namely, that in clause 3, column 2 of the Schedule for the whole proposed wording substitute the following:—

"When the standards of manufacture of such *dhoties*, *lungies* and *sarees* are not of qualities higher than those prescribed by the Provincial Government."

Sir, the Government scheme is that in the schedule itself there will be an exemption of an indefinite character and this is sought to be governed by the following words that "when the sale price of *dhoti*, *lungi* or *saree* does not exceed such amount as the Provincial Government may fix in respect of *dhotis*, *lungis* or *sarees*, as the case may be, by notification in the *official gazette*". Sir, I have never come across a taxation measure which keeps the commodity to be taxed so delightfully vague. Neither the merchants nor the manufacturers and far less the consumers will be in a position to know sufficiently in advance what article or articles are going to be subjected to taxation or not. Government here retains plenary powers to fix any price as the upper limit for different categories of articles to be exempted from the operation of the Sales Tax and the Government is also free to fix such price or prices from time to time.

Now, Sir, supposing today, the 7th of February, 1944, a merchant in calculating his margin for inducing him to import certain category of cloths calculates on a price now operating in the market and he brings

certain commodities from outside. After he has brought the same the Government introduces a new measure of taxation and raises the price in such a way that the merchant is not in a position to sell. It would not be fair to keep the commodity to be taxed so delightfully indefinite. I have therefore proposed that instead of relying on the price factor as the basis of taxation, let the Government fix the standard of manufacture as the basis. In regard to cotton piecegoods or even silk goods it is always possible to rely upon certain categories of manufacturer's standard based upon the counts of yarn that enter into the manufacture of particular class or classes of cloths and the lower denier of silk filature in the case of silk piecegoods, and counts in case of cotton goods—a certain count, say 40 or 30—may be exempted. Cloths of that category and below, that is coarser than that count would thereby be exempted. But, if price is the factor, it will always be a changeable factor. Today, because of high prices of commodities all through, the standard cloth—not the standard cloth in the technical sense of the word but the cloth which is ordinarily used by an ordinary cultivator in Bengal sells at Rs. 5 to Rs. 6 per pair, but in normal times this cloth would sell at something like Rs. 1-10 to Rs. 1-12 only per pair. If Government fixes a price as a limit of exemption it will always have to vary the limit from time to time and it would lead to endless complications. My submission, therefore, is that instead of entries under column 2 of the schedule as proposed by the Hon'ble Minister in charge, let the proposed schedule be worded in the manner that I have suggested, that is to say, the standards of manufacture of *dhotis*, *lungis* and *sarees* be taken as a basis for exemption and not their price.

Sir, I have also a third amendment to move on this clause, namely, amendment No. 20, which I take this opportunity to move to save the time of the House, and I move that in clause 3, column 1 of the Schedule after the word "*lungies*" in line 1, the word "*chaddars*", be added.

I hardly need any argument to prove that *chaddar* is as important a necessity for our poorer section both for purposes of protecting themselves against weather and climatic conditions and winter as also for bed sheets that it would be extremely unfair that when we are allowing exemption on *lungis*, *dhotis* and *sarees* we should not include there one other item. Sir, I should think that Government would have done well to include also in the exemptions certain categories of shirtings or clothing. The specified exemption of *dhotis*, *lungis* and *sarees* creates obvious difficulty. There is hardly any family in Bengal now, even the poor cultivator's family, that does not buy certain classes of underwear like *genjis* or some coarse shirtings for covering or for enabling their children and womenfolk to have some kind of protection for their body. Now, I submit, Sir, that if Government has been generous to exempt *dhotis*, *lungis* and *sarees* I do not see why *chaddar* should not also be exempted and why certain other classes of clothings which are ordinarily used by the poorer and humbler section of the middle classes in Bengal should also not be exempted.

With these words, Sir, I commend all these three motions for the acceptance of the House.

Mr. J. R. WALKER: Mr. Speaker, Sir, in rising to speak I am not doing so because I am in complete accord with all that Dr. Sanyal has said in moving his amendments, but I do so from a sense of sympathy for the handloom weavers. At all times in this House, we have encouraged and done everything to encourage handloom weaving. The Hon'ble Minister has stated that his intention in putting this clause in the Bill is to tax the expensive cloths made by handloom weavers, but if manufactured cloth is to compete with handloom woven cloth then handloom woven cloth has no chance and I think now the Hon'ble Minister should state clearly to all sections of this House what his intentions really are, so that the members may be assured that the handloom weaving industry is not going to be jeopardised in any way.

Rai HARENDRA NATH CHAUDHURI: Mr. Speaker, Sir, I rise to support the motions that have been moved by my honourable friend Dr. Nalinaksha Sanyal. As I had some hand in securing exemption for handloom cloth when the original Bill was under discussion I should say something on the subject.

Sir, it was on the 6th March, 1941, when the schedule of the original Bill was being considered that I moved a motion in the following terms, viz., that "cotton, cotton yarn and any cloth woven by handloom and sold by persons dealing exclusively in such cloth" should be exempted. But, Sir, the Government could not agree to that proposition although it was clearly put forward in the interest of handloom produced cotton cloth and particularly of what is known all over the country as *khaddar*. I had not so much the handloom industry in general in my mind when I moved the motion for the protection of such cotton cloth and *khaddar*, but, Sir, the Government at that time could not accept my suggestion, and the suggestion that was put forward by Government for amending the motion tabled by me was that if I desired to get handloom cloth exempted, then all handloom woven cloth when sold by a person exclusively dealing in such cloth should be exempted, i.e., not simply cotton cloth but all handloom woven cloth should be exempted. And it was at the suggestion of the Government that I amended my amendment and put it forward in the shape in which it appears as item 16 of the schedule of exemptions, namely, "all handloom woven cloth when sold by a dealer who does not sell any other kinds of cloth". Sir, you will see that our anxiety was to secure exemption for cotton cloth but Government at that time suggested that all classes of handloom cloth should be exempted and now the Hon'ble Mr. Goswami comes forward to tell us that such an exemption would not work for the benefit of the poorer people, on the contrary such highly precious things as Benarasi *saree* and Dacca or Santipur *saree* might well be excluded from exemption. It does not lie in the mouth of Government now to say so, because it was at the suggestion of Government that I had to amend my amendment and the amendment was accepted by Government in the broad term in which the exemption appears now in the schedule as item No. 16. So, Sir, if Government has become wise after the event—the event of which many of us are aware, namely, the case that has been, it is reported, instituted by a certain

company and which Government is almost surely going to lose—in that case, Sir, the Act may stand corrected and we may also agree with the Government that Benarasi *sarees* and all such fabrics and cotton cloth of higher count yarn should not be exempted. But, Sir, what offence has been committed by *khaddar*? What offence has been committed by lower count cotton cloth produced by handloom that it should not be exempted clearly from the operation of the Act. I suppose that the Hon'ble Minister in charge has been either imposed upon by the Department or, Sir, he is moving in this matter with a preconceived bias. (At this stage Mr. A. K. Fazlul Huq entered the Chamber amidst cheers from the Opposition benches.)

Sir, I would ask Government to apply its mind to this question and to accept such a motion as will ensure the exemption of *khaddar* and lower count cotton cloth. That may be achieved in a simple manner by only introducing the words "cotton cloth of lower count" instead of the word "cloth" in the terms of exemption that now appear in the Act. I do not know why Mr. Goswami will not favourably consider the suggestion and will not retain the exemption that is now enjoyed by *khaddar* and other handloom woven cotton cloths of yarns of lower counts.

Mr. SUKUMAR DUTT : Mr Speaker, Sir, ডা: নলিনাক্ষ সান্যাল যে amendment এনেছেন তার সমর্থনে আমি দু-চারটে কথা বলতে চাই। Hand-loomএ তৈরী কাপড়ের উপর যখন exemption প্রথম আনা হয় তখন তার প্রধান উদ্দেশ্য ছিল যারা বড় লোক consumer তাদের সুবিধার জন্য নয়, যারা গরীব তাঁতি হিন্দু এবং মুসলমান—তাদের উপকারের জন্য। এটা সকলেই জানেন যে গরীব তাঁতিদের অত্যন্ত দুর্দ্দশা ছিল এবং এখনো আছে। এখনো মিলের সঙ্গে competitionএ তাদের অনেক অসুবিধা ভোগ করতে হয়, এবং একথাও অনেকে জানেন যে এমন অনেক লোক যারা আগে তাঁতের কাপড় ব্যবহার করতো তারা এখন আস্তে আস্তে মিলের কাপড় ব্যবহার করতে আরম্ভ কোরছে। তার কারণ মিলের কাপড়ের দাম অপেক্ষাকৃত কম, এবং সেই জন্যই পূর্ব্বে যে exemption দেয়া হয়েছিল সেটা দেয়া হয়েছিল as an indirect form of subsidy. যদি গরীব তাঁতিরা এই উপায়ে তাদের যে জীবিকার্জ্জনের উপায় চলে যাচ্ছিল সেটা ফিরে পেতে পারে।

এই দুর্মূল্যের দিনে তাঁতিদের আগের চেয়ে অনেক বেশী দামে চাল-ডাল কিনতে হয়, জীবনযাত্রার সব কিছু কিনতে হয়; এ বিষয়টা বিবেচনা কোরে দেখলে মন্ত্রী মহাশয় যে argument দিয়াছেন সেটা টেকে না। শুধু ঢাকাই সাড়ি শান্তিপুরী সাড়িই নয় এমন অনেক সাধারণ সাড়ি আজকাল যে দামে বিক্রীত হচ্ছে যা নাকি পূর্ব্বে অনেক কম মূল্যে বাজারে চলতো এবং তাদ্বারা হিন্দু মুসলমান তাঁতিরা maintained হতো। এখন সেই সব সাড়ি বেশী দামের বলে যদি তার উপর ট্যাক্স ধরা হয়—তাহলে অনেকেই বম্বে মিলের কাপড় পরবে, তাঁতিদের বোনা কাপড় পরবে না। এখন যারা তাঁতের কাপড়ের সঙ্গে মিলের কাপড় বেচছে তাদের ট্যাক্স দিতে হয়, যারা শুধু তাঁতের কাপড় বেচে তাদের ট্যাক্স নাই। এখানে গভর্ণমেণ্টের পক্ষের লোক যাঁরা তাঁরা যদি একটু ভাল কোরে বুঝে দেখেন এবং ভাবেন তাহলে সহজেই বুঝিতে পারিবেন যে এ ট্যাক্স দ্বারা তাঁতিদের অনেক ক্ষতি হবারই সম্ভাবনা। আমি

আশা করি Hon'ble Minister বিষয়টা ভালো কোরে ভেবে দেখবেন এবং তাঁতের কাপড়-এর উপর এই ট্যাক্সটা exemptionএর যদি কোন রকম সম্ভাবনা থাকে সেইটে করবেন।

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mr. Speaker, Sir, the question of giving protection to *khaddar* and handloom industry is not to be dismissed as a mere matter of sentiment. We all have considerable sentiment on this subject. It is a noble sentiment and I think that even for the good of the country it is a sentiment which ought to be encouraged. As I explained, on the last occasion when this Bill was under discussion in the House, my object in increasing the Sales Tax was merely to get some more revenue. There are many other ways in which encouragement can be given to the handloom industry much more effectively than by merely putting the handloom woven cloth on the exemption list of this Bill. I have already given an assurance to the House that in fixing the different price levels for taxation I shall differentiate between the handloom woven cloth and mill-made cloth in the exercise of my rule-making power. I think that the prices can be so fixed as largely to eliminate competition between the handloom industry and the mill industry. In this I shall endeavour to consult the interests concerned as best as I can. But I would like the House to realise that the object of the Sales Tax is merely revenue. Frankly speaking, there is no question of theories about direct taxation or indirect taxation It is just a device, a very convenient device, for the Government which needs money to raise more money. The question of competition between the mills and handloom is a vital question and it cannot be ignored by any Government. But with the assurance that I have given the House will appreciate my position and the honourable member will not press his motion for amendment.

Dr. NALINAKSHA SANYAL: What about other two points?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: As regards *chaddar*, I am sure that it is not an absolute necessity of the poor. In that case you would have to include woollen goods which may be considered as a necessity. But the whole point is that even with the exemptions already proposed the purpose of the amendment can be served because *chaddar* as the ordinary man uses it is really a small *dhuti*.

Dr. NALINAKSHA SANYAL: You want the merchants to declare it as *dhoti*.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I do not see very much point in that. As regards the other point raised about the fixation of quality instead of price, it would be impossible to check the quality; that is the only reason why I propose the basis of price to avoid undue exemption. The possibility of exempting on the basis of prices in the rule-making power of Government is suggested by the fact that the present price level is exceedingly high; it is so abnormally high that it is bound to come down. I do not wish to take up more time of the House. I think, I have made my position sufficiently clear and understandable.

The motion of Dr. Nalinaksha Sanyal that in clause 3, line 3, for the word "substituted" the word "added" be substituted, was then put and a division taken with the following result:—

AYES—65.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Aslamuddin Ahmed, Mr.
Badruddoja, Mr. Syed.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. P.
Barat Ali, Mr. Md.
Barma, Mr. Pushpajit.
Barman, Mr. Upendra Nath.
Basu, Mr. Santosh Kumar.
Biswas, Mr. Surendra Nath.
Chattopadhyay, Mr. Haripada.
Choudhuri, Rai Narendra Nath.
Das, Babu Radhanath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Dutta, Mr. Dhirendra Nath.
Doloi Mr. Narendra Nath.
Dutta, Mr. Sukumar.
Edhar, Mr. Upendranath.
Emdadul Haque, Kazi.
Fazlul Huq, Mr. A. K.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahamad, Maulvi.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, Nawab Bahadur K., of Dacca.
Hasan Ali Choudhury, Mr. Syed.
Hashem Ali Khan, Khan Bahadur Maulvi.
Idris Ahmed Mia, Maulvi.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Mahtab, Maharajadhiraja Bahadur Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Maniruzzaman Islamabadi, Maulana Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nandy, Maharaja Srischandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Paul, Sir Hari Sanker.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanaullah, Dr.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Shamsuddin Ahmed Kondkar, Mr.
Sur, Mr. Narendra Kumar.
Waliur Rahman, Maulvi.
Yousuf Mirza.
Zaman, Mr. A. M. A.

NOES—97.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Wahab Khan, Khan Bahadur.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdus Shahood, Maulvi Md.
Abul Fazl, Mr. Md.
Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Abul Masud, Kazi.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Altafuddin Ahmed, Khan Bahadur Maulvi.
Amir Ali Bin, Maulvi Md.
Barma, the Hon'ble Mr. Prombari.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakrabarty, Mr. Jatindra Nath.
Chakraborty, Babu Narendra Narayan.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Dass, Babu Debendra Nath.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D., C.I.E.
Gomes, Mr. R. A.
Goswami, the Hon'ble Mr. Tulsi Chandra.
Gupta, Mr. J. N.
Hafizuddin Choudhuri, Maulvi.
Hamilton, Mr. K. A.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jomadar, Khan Sahib Maulvi.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kumar, Mr. Atul Chandra.
Leach, Mr. John.
McGregor, Mr. G. G.
Stephenson, Mr. S. P.
Mafizuddin Ahmed, Dr. (Bogra).
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).

Mandal, Mr. Amrita Lal.
Mandal, Mr. Sanku Behari.
Mandal, the Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Maulvi.
Miles, Mr. C. W.
Mohammed Ali, Khan Bahadur.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjea, the Hon'ble Mr. Tarakanath, M.B.E.
Mullick, Mr. Mukunda Behary.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noeruddin, Mr. K.
Norton, Mr. H. R., M.B.E.
Pain, the Hon'ble Mr. Barada Prosanna.
Powell, Mr. J. A.
Razzur Rahman Khan, Mr.
Saffruddin Ahmed, Haji.
Salim, Mr. S. A.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Skipwith, Mr. W. E.
Smart, Mr. J. N.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Thorman, Mr. C. M.
Thakur, Mr. Pramatha Ranjan.
Walker, Mr. J. R.
Walker, Mr. W. A. M., C.B.E.
Whitehead, Mr. R. B.
Wordsworth, Mr. W. C., C.I.E.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.
Zillur Rahman Shah Choudhury, Maulvi.

The Ayes being 65, and the Noes 97, the motion was lost.

The motion of Dr Nalinaksha Sanyal that in clause 3, column 2 of the Schedule for the whole proposed wording substitute the following:—

"When the standards of manufacture of such *dhoties*, *lungies* and *sarees* are not of qualities higher than those prescribed by the Provincial Government."

was then put and lost

The motion of Dr Nalinaksha Sanyal that in clause 3, column 1 of the schedule after word "*lungies*" in line 1, the word "*chaddars*" be added, was then put and a division taken with the following results:—

AYES—58.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Badruddoja, Mr. Syed.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. P.
Barma, Mr. Puspajit.
Barman, Mr. Upendra Nath.
Basu, Mr. Santosh Kumar.
Biswas, Mr. Surendra Nath.
Chaudhuri, Rai Harendra Nath.
Das, Babu Radhanath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Dutta, Mr. Dhirendra Nath.
Deloi, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Edhar, Mr. Upendranath.
Fazlul Huq, Mr. A. K.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahamad, Maulvi.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, Nawab Bahadur K., of Dacca.
Hasan Ali Chowdhury, Mr. Syed.
Hashem Ali Khan, Khan Bahadur Maulvi.
Idris Ahmed Mia, Maulvi.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. L. D.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Mahtab, Maharajadhiraja Bahadur Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Maniruzzaman Islamabadi, Maulana Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Mukherji, Dr. Shyat Chandra.
Mullick, Srijut Ashutosh.
Nandy, Maharaja Srischandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Paul, Sir Hari Sanker.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shamsuddin Ahmed, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sur, Mr. Harendra Kumar.
Waliur Rahman, Maulvi.
Yousuf Mirza.
Zaman, Mr. A. M. A.

NOES—93.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim, Maulvi (Mymensingh)
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Wahab Khan, Khan Bahadur.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdus Shaheed, Maulvi Md.
Abul Fazl, Mr. Md.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Abul Masud, Kazi.
Abul Quasem, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Amir Ali Mia, Maulvi Md.
Barma, the Hon'ble Mr. Promhari.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakraborty, Mr. Jatindra Nath.
Chakraborty, Babu Narendra Narayan.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Mr. Monmohan.
Dass, Babu Debendra Nath.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D., O.I.E.
Goswami, the Hon'ble Mr. Tulsi Chandra.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Hafizuddin Choudhuri, Maulvi.
Hamilton, Mr. K. A.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Jalaluddin Ahmad, the Hon'ble Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kumar, Mr. Atul Chandra.
Leisk, Mr. John.
McGregor, Mr. G. G.
McPherson, Mr. G. P.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Mandal, the Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Maulvi.
Miles, Mr. C. W.
Mohammed Ali, Khan Bahadur.
Moshin Ali, Mr. Md.
Mozammel Huq, Maulvi Md.
Muhammad Abdul Halim Molla, Mr.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjea, the Hon'ble Mr. Tarak Nath, M. B. E.
Mullick, Mr. Mukunda Behary
Mullick, the Hon'ble Mr. Pulin Behary.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R., M. B. E.
Pain, the Hon'ble Mr. Barada Prosanna
Powell, Mr. J. A.
Razaur Rahman Khan, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Skipwith, Mr. W. E.
Smart, Mr. J. N.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Thorman, Mr. C. M.
Thakur, Mr. Pramatha Ranjan.
Walker, Mr. J. R.
Walker, Mr. W. A. M., O. B. E.
Whitehead, Mr. R. B.
Wordsworth, Mr. W. C., C. I. E.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.
Zillur Rahman Shah Choudhury, Maulvi.

The Ayes being 58 and the Noes 93, the motion was lost.

The question that clause 3 stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble stand part of the Bill was then put and agreed to.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I beg to move that the Bengal Finance (Sales Tax) Amendment Bill, 1944, as settled in the Assembly, be passed.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, it is a matter of the deepest regret that in the situation with which the province is faced

today, the present Government have thought fit to bring on the legislative anvil a measure of the character which is about to be passed by this House.

Sir, I understand that my honourable friend Dr. Syamaprasad Mookerjee recalled the previous history of this Bill so far as this Government is concerned and that he made it clear that the past Ministry had succeeded in persuading the Government of India to agree that the Government of Bengal need not in the circumstances then prevailing in this province proceed with a measure of this character. Sir, I do not desire to raise a personal note, but it may be to the advantage of this House to know what transpired at that stage when the then Bengal Cabinet was good enough to entrust me with a mission to see the Finance Member of the Government of India. (The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Is the honourable member talking on the Sales Tax Bill or some other Bill?) It was in connection with the Sales Tax Bill. I hope and trust that the Hon'ble Finance Minister would take the trouble of consulting his very able Secretary on this point who was present at the interview with the Finance Member of the Government of India and he will be in a position to report to him as to what transpired in that interview.

I remember, Sir, today that the Bengal Cabinet had taken the solemn decision that the present Bill in its present form would be brought before this House for enactment. I with some other colleagues of mine persuaded the Governmnt of Bengal at the time to postpone taking any action on that decision in order that I might take the advantage and opportunity of a visit to Delhi in connection with a Civil Defence Conference of negotiating with the Finance Member, so that the present Bill might be dropped and the financial commitment of the Government of Bengal might be shared in a substantial measure by the Government of India. The Secretary to the Finance Department, Mr. Walker, accompanied me on that occaston when the question of Agricultural Income-tax Bill was not stressed so much as the question of Sales Tax was, because the decision of the Cabinet was already there and I had merely obtained a postponement of the decision, awaiting the result of my mission to Delhi Sir Jeremy Raisman was good enough to say that for post-war reconstruction purposes, revenue yielded by Sales Tax would be advantageous and helpful, but so far as the situation in Bengal was concerned, he was agreeable that the Government of India would see us through, that the ways and means advance which was falling due for repayment in Bengal need not be paid for some time more, and that the Government of Bengal need not proceed with the Sales Tax Bill. Report was made in due course on our return from Delhi to the Cabinet at its next meeting, and I am sure the proceedings of the Cabinet would disclose the true position in the matter. Sir, I am referring to these matters, because the Hon'ble the Finance Minister has questioned the accuracy of my statement I am not in a position to have any access to confidential records of Government today, but I can only state what is a fact to my own knowledge. Sir, I am aware that in England the Sales Tax has been increased to an enormous extent. I know that the Sales Tax in England which is called the purchase tax and is

confined entirely to luxuries of an admitted character, brings in revenue which in the matter of percentage does not compare at all with our Bill, because it is enormous. I agree that is the position in England. At the same time I think it cannot be disputed for one moment that in England, people are far better off in the matter of food, civil supplies, and every other matter, and Government there have ordained things in such a way that no single individual in that country goes without a meal. (A voice from the Congress Benches: Has anybody died of starvation there?) That is exactly the question I was just going to ask. Conditions are so vastly different there from this unhappy province that it is sheer madness to compare the state of affairs in England with those obtaining in this province. It may be said that the prices of commodities have gone up very high, and that this small increase in Sales Tax would not matter. Those who advance such arguments are cut off from the life current of the people of this province. They do not know what it is for ordinary middle-class people and for poorer classes in this province to have the wherewithal to purchase articles not covered by the schedule of this Act, many of which are real necessities of life. On the top of that if one single pie is added to the price, that will entail heavy difficulties to certain classes of people who will be hit very hard by this tax. I regret to say, Sir, that this Ministry has not had the courage, has not had the strength to stand up to the Government of India and to withstand whatever pressure may have come from that quarter. I am sorry that my honourable friend the Finance Minister has not had the opportunity to plead for his province at the bar of the Government of India and to tell them that the situation has deteriorated to an enormous extent from what it was last year. Conditions here are so horrible that to think of any kind of taxation today is almost criminal.

I strongly oppose the passing of this Bill.

Mr. SHAMSUDDIN AHMED: Mr. Speaker, Sir, it is a matter of deep regret and shame also that the Ministry chose the present occasion to bring in a measure which I have no doubt will be condemned by all sections of the people of Bengal. Why do I call it a shame, because, Sir, you know that the province not only suffered from scarcity of rice but about 50 lakhs of people are dead owing to starvation and nobody knows how many more men will die in future years not only from starvation but also from loss of their power of resistance.

Sir, my honourable friend Mr. Basu has already put before the House the history of the whole measure as it was tried to be adumbrated during the regimé of the last Ministry. I can very well find this from the Statement of Objects and Reasons and the discussion that took place in this House. I understood the Finance Minister to say that he wanted this House to pass this measure and strengthen his hands, so that he might go up to the Government of India for loans or borrow money for purposes of administration of this province. It is very funny, Sir, that without approaching the Government of India, without placing the whole question

before the Government of India the Finance Minister in his wisdom comes before this House and says: "Well, strengthen my hands, because I am so weak that I cannot move up to Delhi. Therefore pass this measure, give me only Rs. 70 lakhs and then I shall approach the Government of India for further loans or borrow money for the administration of this province." Why? You will see, Sir, from paragraph 2 of the Statement of Objects and Reasons: "In order however that no additional burden may thereby be laid on the poor, provision has been made to exempt the only necessity of life not already included in the schedule of tax-free goods, namely, 'the poor man's cloths,' whether such cloth is hand-woven or machine-made." When my friend Dr. Sanyal put the question about handmade cloth and *chaddar*, in order to meet the arguments of Dr. Sanyal, Mr. Goswami said "*chaddar* is not necessary". The *lengti* will be all right; so *dhoti* is not necessary. Go in *lengti* and then roam throughout the country. My friend wears a very highly priced *chaddar* round his body and he says that the poor man does not want a *chaddar* for wrapping round his body even during the winter season or at any other time. So, *chaddar* must be taxed. An ex-Congress man sits in the Finance Minister's *gadi* and says that *chaddar* is not necessary for a poor man for whom the Congress is fighting. Mr. Goswami at one time was a Congress man. I do not know whether he still says that he is a Congress man. He wants to fight for the poor men of this province. The whole thing is so silly. I do not want to take up the time of this House, but I am sorry at a time like this when the whole country is undergoing tribulation, privation and suffering of all sorts he wants to add to that suffering the burden of taxation. Prices have gone high and in the place of one pice that will be paid in the shape of taxation, the poor men would have to pay four times and sometimes even ten times as much as they would pay in normal times. I say, Sir, that it will go down to history to the utter discredit and shame of this Ministry that they thought it wise to bring in a measure of this sort at this time before the House.

I, therefore, on behalf of my party oppose the passing of the present taxation measure.

Mr. ABDUR RAHMAN SIDDIQI: I did not want to take part in the discussion on this matter, but representing the commercial community as I do, I feel that where members of the commercial community has to pay as much as 93¾ per cent of its profits in taxation in these days of war, it is only fair that in a graded manner every member of the society should also pay his bit. I was rather astounded at the Krishak Proja Party Leader's remarks. Under the slogan of "Peasants and Workers of the World Unite", he should, really, have come down upon the burgeois element of the society and forced it to find the money because he must realize that shopkeepers and traders are making higher profits now than they normally did (Cries of "Question", "Question" from the Congress Benches) and out of these they can and should pay for the general needs of the community.

I was again astounded, and even flabbergasted, at the manner in which the Hon'ble the Leader of the Forward Block gave details of a conversation which, in the normal state of affairs, would be considered as confidential and not intended for publicity in a house of legislature. I am not aware of the official etiquette on these matters because I have not been a Minister myself but looking at things as an outsider I do feel that details of conversations between high officers of State especially those from the Provinces and from the Centre should not be divulged in this reckless manner in order to make just one point that the present Ministry cannot face and cannot stand up to the Government of India. I feel, Sir, and we may have our differences of opinion on the subject that we have got to establish a case that we are prepared to suffer our quota of taxation in order to get money from the Government of India to cover the terrible losses and unprecedented expenses that we shall have to undergo and have already undergone in relation to the famine and other difficulties that are before us. This is the time of war and I feel that we should not raise argument over a matter in which, I am satisfied in my own way, the shopkeepers and traders can stand the taxation the Hon'ble the Finance Minister has brought before us for sanction. Instead of talking on the technical side of the tax and on its financial implications, political capital has been made and the Ministry has been taken to task. That does not matter. The criticism of the Kishak Proja Party Leader leaves me cold because his criticisms seldom have any argument behind them. But the Hon'ble the Leader of the Forward Bloc who has had occasion to meet high officials of the Government of India should have realised that something at this end has to be done in order to establish our claim for bigger mercies from the Government of India. I think that the action taken by the Hon'ble Finance Minister is worthy of support in this House and I hope that the House will pass the Bill as it now stands.

The motion of the Hon'ble Mr. Tulsi Chandra Goswami that the Bengal Finance (Sales Tax) Amendment Bill, 1944, as settled in the Assembly, be passed, was then put and a division taken, with the following result:—

AYES 97.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Wahab Khan, Khan Bahadur.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdus Shaheed, Maulvi Md.
Abul Fazl, Mr. Md.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Abul Masud, Kazi.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Amir Ali Mia, Maulvi Md.
Barma, the Hon'ble Mr. Prembari.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakrabarty, Mr. Jatindra Nath
Chakrabarty, Babu Narendra Narayan.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Dass, Babu Debendra Nath.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D., C.I.E.
Goswami, the Hon'ble Mr. Tulsi Chandra.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Hafizuddin Chaudhuri, Maulvi.

Hamilton, Mr. K. A.
Hatemally Jamadar, Khan Sahib Maulvi.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F., O.B.E.
Jainiuddin Ahmad, the Hon'ble Khan Bahadur Maulvi
Kabiruddin Khan, Khan Bahadur Maulvi.
Kumar, Mr. Atul Chandra.
Leisk, Mr. John.
McGregor, Mr. G. G.
McPherson, Mr. G. P.
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Mandal, the Hon'ble Mr. Jogendra Nath.
Miles, Mr. C. W.
Mohammed Ali, Khan Bahadur.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjea, the Hon'ble Mr. Tarak Nath, M.B.E.
Mullick, Mr. Mukunda Behary.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noeruddin, Mr. K.
Norton, Mr. H. R., M.B.E.
Pain, the Hon'ble Mr. Baroda Prosanna.
Powell, Mr. J. A.
Razaur Rahman Khan, Mr.
Safiruddin Ahmed, Haji.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Skipwith, Mr. W. E.
Smart, Mr. J. N.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Thorman, Mr. C. M.
Thakur, Mr. Pramatha Ranjan.
Walker, Mr. J. R.
Walker, Mr. W. A. M., C.B.E.
Whitehead, Mr. R. B.
Wordsworth, Mr. W. C., C.I.E.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.
Zhiur Rahman Shah Choudhury, Maulvi.

NOES—64.

Abdul Hafiz, Mr. Mia.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Asimuddin Ahmed, Mr.
Badruddoja, Mr. Syed.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. P.
Barat Ali, Mr. Md.
Barma, Mr. Puspajit.
Barman, Mr. Upendra Nath.
Basu, Mr. Santosh Kumar.
Biswas, Mr. Surendra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Radhanath.
Das Gupta, Dr. J. M.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Edbar, Mr. Upendranath.
Fazlul Huq, Mr. A. K.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Gupta, Mr. Jogesh Chandra.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, Nawab Bahadur K., of Dacca.
Hasan Ali Chowdhury, Mr. Syed.
Hashem Ali Khan, Khan Bahadur Maulvi.
Idris Ahmed Mia, Maulvi.
Jainiuddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kundu, Mr. Nishitha Nath.
Mahtab, Maharajadhiraja Bahadur Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Maniruzzaman Islamabadi, Maulana Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nandy, Maharaja Srischandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Paul, Sir Hari Sanker.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanaullah, Dr.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Satanka Sekhar.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sur, Mr. Harendra Kumar.
Wallur Rahman, Maulvi.
Zaman, Mr. A. M. A.

The Ayes being 97 and the Noes 64, the motion was agreed to.

Adjournment.

The House was then adjourned at 6-8 p.m. till 4-30 p.m. on Tuesday, the 8th February, 1944, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 8th February, 1944, at 4-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI) in the Chair, 12 Hon'ble Ministers and 179 members.

STARRED QUESTIONS

(to which oral answers were given)

Expenditure out of the allotment for promotion of communal harmony in the province.

***67. Mr. NIHARENDU DUTTA MAZUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state whether the entire or part of the amount of one lakh of rupees provided in the Budget for 1942-43 for the purposes of promoting communal harmony, was actually spent by Government?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what is the amount so spent;

(*ii*) to what organization or individuals any sums were disbursed, giving the amounts in each case; and

(*iii*) how the money was utilised, giving the precise account of sums spent either—

(1) by Government, or

(2) by the organizations or individuals, if any, to whom sums of money may have been disbursed for expenditure?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons thereof?

(*d*) Will the Hon'ble Minister be also pleased to state whether the said money—

(*i*) has lapsed, or

(*ii*) is still available for utilisation?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. Tulsi Chandra Goswami): (*a*) No expenditure was incurred out of this provision.

(*b*) Does not arise.

(*c*) No definite scheme was formulated for the purpose.

(*d*) (*i*) Yes.

(*ii*) No.

Mr. ABUL HOSAIN AHMED: With reference to answer (*c*), will the Hon'ble Minister be pleased to state the reasons?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: The reason is that no definite scheme was ever framed for giving effect to the provision that a lakh of rupees should be spent for promoting communal harmony. As you know, Sir, you cannot spend money unless there is a scheme to spend it on.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state why the amount was provided in the budget at all in the absence of any definite scheme in view of the consistent recommendation of the Public Accounts Committee for the last several years not to place any amount in the Budget unless the scheme is properly made out and the implications of the scheme are examined?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, a predecessor of mine might have been able to answer that question, but so far as the coming year's Budget is concerned, no such provision has been made because there is no scheme ready. Sir, you remember in the current year's Budget a token sum of Rs. 25,000 was allotted for the purpose but that has not been so far spent.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state what is the present policy of this Government regarding the promotion of communal harmony?

Mr. SPEAKER: That question does not arise. It is a question with regard to the expenditure of the sum provided for in the Budget of 1942-43. It is not a question asking what the policy of the present Government is with regard to communal harmony.

Mr. DHIRENDRA NATH DATTA: Does the Hon'ble Minister consider the desirability of formulating a scheme regarding promotion of communal harmony?

Mr. SPEAKER: That question also does not arise out of the present question.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether the proposal to keep apart a sum for promotion of communal harmony gave rise to strong comments and opposition from the then Opposition in this House?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I am not aware of that.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether the present Government framed any scheme for promotion of communal harmony having regard to the fact that Rs. 25,000 was provided in the current year's Budget?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, as I have just said, Rs. 25,000 was provided as a token amount in case any scheme required expenditure of that amount, but it was really a continuation of the previous Government's policy.

Rai HARENDRA NATH CHAUDHURI: Do we understand that this Government has got no scheme before it and does not contemplate framing any scheme for the purpose?

Mr. SPEAKER: Mr. Rai Chaudhuri, in fact, your previous question was, strictly speaking, not relevant, but I did allow that and you are now putting another question by way of cross-examination.

Rai HARENDRA NATH CHAUDHURI: No, Sir, because my previous question arose directly out of the answer to the supplementary question put by Mr. Dhirendra Nath Datta.

Mr. SPEAKER: The Hon'ble Minister might have avoided that answer also.

Family allowance for security prisoner Srijut Krishnaranjan Sen.

***68. Srijut NARENDRA NATH DAS GUPTA:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that—

(*i*) Srijut Krishnaranjan Sen, B.A., of Khalisakota, a security prisoner in Barisal Jail, repeatedly applied for family allowance;

(*ii*) his father has been suffering from rheumatism for many years and is unfit for any work;

(*iii*) Srijut Krishnaranjan Sen used to support his family on his own income;

(*iv*) he used to earn about Rs.75 per month;

(*v*) he got a chance of appointment in the Electric Supply Corporation, Calcutta, through the Calcutta University Appointment and Information Board on 6th November, 1942; and

(*vi*) the father of Srijut Krishnaranjan Sen was assured by the Chief Minister of suitable allowance being granted to him?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what step the Government have taken in this matter?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*)(*i*) Two petitions on the subject were received.

(*ii*) to (*iv*) My information is that the prisoner was a private tutor before his arrest and his income ranged between Rs.10 to Rs.20 per month. The family was not dependent on him and was maintained from the income of his father. His father is not in good health.

(*v*) and (*vi*) I have no information on this point.

(*b*) A family allowance of Rs.10 per month was first granted to him with effect from the date of his arrest. This allowance has been enhanced to Rs.15 per month with effect from the 1st April, 1943, in accordance with the present liberalised policy of Government.

Personal allowances to security prisoners for certain articles inside jail.

***69. Mr. KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the security prisoners are given any personal allowances for meeting their bare necessities in jail?

(*b*) Whether regular smokers among the security prisoners get any supply of cigarettes and other smoking materials with the jail authorities for purchasing these things?

(*c*) Whether in cases of accidental breakages of lenses of spectacles security prisoners have to purchase them from their private funds if they have got any or to go without them?

(*d*) Whether it is a fact that under the Security Prisoners Rules, where a replacement of lenses of a spectacle is necessitated on account of power on medical grounds, the security prisoners are given only a part of the total cost of replacement?

(*e*) Whether security prisoners who want to appear in University Examinations get any pecuniary help from the Government for purchasing their books or submitting examination fees?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) and (*b*) No.

(*c*) I refer the honourable member to rule 68(*d*) of the Bengal Security Prisoners Rules, 1940.

(*d*) No. Government bears the entire cost of such replacement.

(*e*) I refer the honourable member to rule 15 of the Bengal Security Prisoners Rules.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether there is any Standing Order that replacement should take place at the cost of the Government and whether the Superintendents in charge of the Jails are aware of such an order?

Khan Bahadur MOHAMMED ALI: No, Sir, the position is this, that if there is any replacement due to breakage by a prisoner, then it has to be replaced by the prisoner at his own cost, but if the replacement is necessitated by a change in the power of the lenses or defect in the eye-sight it is then borne by Government.

Rai HARENDRA NATH CHAUDHURI: Sir, I refer to part (*c*) of the question which is—"Whether in cases of accidental breakages of lenses of spectacles security prisoners have to purchase them from their private funds

if they have got any or to go without them?" The answer to (*c*) is—"I refer the honourable member to rule 68(*4*) of the Bengal Security Prisoners Rules, 1940."

Khan Bahadur MOHAMMED ALI: I explained the position. In certain cases replacement is borne by Government and in certain cases the prisoner has to bear the expense himself if it is due to the negligence of the prisoner.

Rai HARENDRA NATH CHAUDHURI: The particular question is not answered. The question is what happens in the case of accidental breakages?

Khan Bahadur MOHAMMED ALI: I say if the breakage is due to the negligence of the prisoner——

Rai HARENDRA NATH CHAUDHURI: What in cases of accidental breakages?

Mr. SPEAKER: That depends on the interpretation of an accident. He says that if it is due to the negligence on the part of a prisoner himself he has got to meet the cost out of his own pocket.

Rai HARENDRA NATH CHAUDHURI: My submission is this. It does not make the point clear. The question has been put just to understand what the exact position is under the rules, whether in cases of accidental breakages the prisoner can claim to have the thing replaced at the cost of the Government or not—in case of accidental breakages?

Khan Bahadur MOHAMMED ALI: The rule that I referred to reads thus: The cost of repairs or replacement of cracked or broken lenses shall be borne by a prisoner.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state, with reference to the answer just given, wherefrom these prisoners in jail get their expenses for personal necessities?

Khan Bahadur MOHAMMED ALI: They are allowed to have Rs. 20 per month at their own credit as private funds which they may have from their famliy members or anybody and those funds are kept in the custody of the Superintendent.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state whether any enquiry was ever made to ascertain that Rs 20 was sufficient for meeting all personal necessities?

Khan Bahadur MOHAMMED ALI: It is sufficient to meet expenses.

Rights and privileges of State Prisoners.

***70. Mr. NIHARENDU DUTT MAZUMDAR:** (*a*) Has the attention of the Hon'ble Minister in charge of the Home (Jails) Department been drawn to the judgment of the Hon'ble High Court, Calcutta, in the recent contempt cases against some of the high officials of Government and Police with reference to the rights and privileges of persons detained under Regulation III of 1818, as State Prisoners, *inter alia*, to the following

effects, viz: (*i*) "It must be pointed out, however, that the detenus are certainly entitled to more rights and privileges under the present custody than they were under the former since they are now entitled to adequate allowance for themselves and their families according to their rank in life", etc....., (*ii*) ".....Regulation III contains provisions which enable the detenus to be told what are the grounds on which he is detained and further provisions enabling that detenu to show cause why he should not be detained."

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether Government have given effect to the aforesaid pronouncement?

(*c*) If the answer to (*b*) is in the negative, what are the reasons thereof?

(*d*) Will the Hon'ble Minister be pleased to lay on the Table a statement showing—

(*i*) the number of persons at present detained as State Prisoners in Bengal under Regulation III of 1818;

(*ii*) their names; and

(*iii*) rank in life

stated in each particular case;

(*iv*) whether the order of detention was passed—

(1) by Government of Bengal with his advice and concurrence or not;

(2) by the Central Government;

in each case?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes.

(*b*) All the rights and privileges to which persons detained under Regulation III of 1818 are entitled have been granted to them.

The Preamble to the Regulation contains the following passage:—

"and whereas the ends of justice require that, when it may be determined that any person shall be placed under personal restraint, otherwise than in pursuance of some judicial proceeding, the grounds of such determination should from time to time come under revision, and the person affected thereby should at all times be allowed freely to bring to the notice of the Government all circumstances relating either to the supposed grounds of such determination, or to the manner in which it may be executed."

Neither in this passage nor in any other section of the Regulation is there any provision requiring the detaining authority to furnish to the person detained any information as to the grounds on which the detention is made. The word "supposed" occurring in the penultimate clause of the passage quoted clearly implies that, although it is open to the prisoner to make any

representations he may wish to the detaining authority relating to what the prisoner may *suppose or believe* to be the ground on which he is detained, he has not the right to be told what the grounds are.

As I cannot believe that the Hon'ble Chief Justice could have misdirected himself, I can only conclude that his observations on this point have been incorrectly reported.

(*c*) Does not arise.

(*d*) (*i*) to (*iii*) A statement is laid on the Library Table.

(*iv*) Orders of detention were passed by the Government of Bengal.

Dr. NALINAKSHA SANYAL: With reference to answer (*b*) where it is stated that "all the rights and privileges to which persons detained under Regulation III of 1818 are entitled have been granted", will the Hon'ble Minister be pleased to state in what respects are these rights and privileges different from the security prisoner's rights and privileges provided under the Bengal Security Prisoners Rules?

The Hon'ble Khwaja Sir NAZIMUDDIN: I will refer the honourable member to Regulation III and to the Security Prisoners' Rules which are on the Library Table.

Dr. NALINAKSHA SANYAL: No, Sir, I asked a specific question.

Mr. SPEAKER: You cannot ask him to give a comparative view. You should ask a specific question.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that after the rearrest of certain security prisoners released under orders of the High Court, the privileges which Regulation III prisoners were previously entitled to were modified and made just in line with the privileges granted to security prisoners under Security Prisoners Rules, 1940?

The Hon'ble Khwaja Sir NAZIMUDDIN: I will refer the honourable member to reply (*b*).

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that prisoners detained under Regulation III of 1818 were or have been in the past granted allowances to cover their life insurance premia?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that a Regulation III prisoner was in the past granted personal allowance and also liberal allowances for maintaining himself in the same standard of life in detention as he was outside detention?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, as far as the past is concerned, I ask for notice, but speaking from memory I can say that this is correct.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that immediately after the rearrest of the persons who were released under the orders of the High Court under Regulation III of 1818, orders were issued from the Home Department to the jail authorities directing them to apply Security Prisoners' Rules only on such prisoners?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am not sure, but I maintain that whatever may have been done in the beginning, at the present time the Regulation III prisoners have got all the privileges that they are entitled to.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether the grounds mentioned in the earlier part of the quotation refer to such grounds as the Government think "grounds untested by judicial proceedings"?

The Hon'ble Khwaja Sir NAZIMUDDIN: I submit, Sir, that this is purely a question of law.

Rai HARENDRA NATH CHAUDHURI: No, Sir, it is not a question of law.

Mr. SPEAKER: I have not followed the question. Mr. Rai Chaudhuri, what is your question?

Rai HARENDRA NATH CHAUDHURI: Sir, you will find in the quotation of Regulation III that there are two places where the word "grounds" occur. In the first part the word occurs in connection with "grounds of such determination" and in the latter part it occurs in "supposed grounds". Government in their reply state that "supposed grounds" mean grounds supposed by the prisoner and not by Government and Government think that the interpretation put on the expression used by the Chief Justice was not a correct interpretation. Therefore, Sir, it cannot be so because——

Mr. SPEAKER: That is an argument. I understand your question.

Rai HARENDRA NATH CHAUDHURI: You will find, Sir, that it is stated in the Regulation "Whereas the ends of justice require that, when it may be determined that any person shall be placed under personal restraint, otherwise than in pursuance of some judicial proceeding the grounds of such determination... .....", etc. Now, Sir, "grounds of determination" evidently mean the grounds untested by judicial proceeding. Here the grounds must mean grounds supposed by Government to be sufficient grounds. It cannot be anything else. "Supposed grounds" in the latter part mean according to Government grounds supposed by the prisoner and not by the Government. Sir, here "supposed grounds" must mean grounds supposed by Government—grounds which Government think sufficient for detention under Regulation III. Why should it mean differently?

Mr. SPEAKER: Mr. Rai Chaudhuri, you want to ask the Hon'ble Minister in charge as to why he interprets the word "supposed" in that way.

Rai HARENDRA NATH CHAUDHURI: Yes, Sir. Why should not "supposed" be supposed by Government? In a covert way the Hon'ble Minister has reflected on the observations made by the Chief Justice.

Mr. SPEAKER: I think that question is a question of interpretation and the interpretation put upon the words by the Hon'ble Minister is already in the answer. There can be no discussion on that.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state whether according to the interpretation which he has put upon this expression in the Regulation a prisoner who has no ground to suppose or believe that he is guilty or should be detained or can be detained in jail will have no opportunity of making any representation because he has nothing to justify the supposition or the belief that he is guilty? Is that the interpretation given by the law officer of the Government or by the Hon'ble Minister?

The Hon'ble Khwaja Sir NAZIMUDDIN: The interpretation is there and it is for the honourable member to judge what it means.

Mr. SANTOSH KUMAR BASU: In view of the fact that the Hon'ble Minister has himself ventured an interpretation in the reply, is it not open to me to ask how he justifies that interpretation in view of the clause quoted?

Mr. SPEAKER: He has already given his answer

Mr. SANTOSH KUMAR BASU: The last answer given by the Hon'ble Minister is "You can draw your own inference".

Mr. SPEAKER: Sir Nazimuddin, are you prepared to give the reasons for the answer?

The Hon'ble Khwaja Sir NAZIMUDDIN: This is my interpretation and the matter ends there.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if any communication has been received by Government in connection with the supposed ground of such detention from any of the prisoners mentioned in the statement laid on the Library Table?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us whether there was any comparison made between the quotation as reported and the actual judgment?

Mr. SPEAKER: The answer says "As I cannot believe that the Hon'ble Chief Justice could have misdirected himself, I can only conclude that his observations on this point have been incorrectly reported". You put some question in regard to the report that will make the point clear.

Mr. I. D. JALAN: Have the Government got a correct report of the judgment of the Chief Justice?

The Hon'ble Khwaja Sir NAZIMUDDIN: If the honourable member won't see the point, I cannot help him.

Mr. ATUL KRISHNA GHOSE: মাননীয় মন্ত্রী মহাশয় অনুগ্রহ করে আমাদের জানাবেন কি এসম্বন্ধে বন্দীদের মধ্যে কেউ কোন পত্র লিখেছেন কি না এবং সেই পত্র পাবার পর গভর্ণমেণ্ট অন্য কোন পন্থা অবলম্বন করেছেন কি না ?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. SANTOSH KUMAR BASU: Is the Hon'ble Minister prepared to say that every prisoner detained under Regulation III has already got allowances?

The Hon'ble Khwaja Sir NAZIMUDDIN: I cannot go into details. But I maintain that all the rights and privileges which the prisoners are entitled to are being provided for and if the honourable member will bring any specific case to my notice, I will certainly look into it.

Mr. ATUL KRISHNA GHOSE: মাননীয় মন্ত্রী মহাশয় কি অনুগ্রহ করে আমাদের জানাবেন যদি এই পৃথক ধরণের কোন পত্রে তাদের নির্দ্দেশ বলে জানেন সে অবস্থায় গভর্ণমেণ্ট সে সম্বন্ধে অনুসন্ধান করবার জন্য কোন পন্থা অবলম্বন করা প্রয়োজন মনে করেন কি না ?

Mr. SPEAKER: That is a hypothetical question.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister kindly take into consideration the desirability of reconsidering the interpretation which he has given in view of the fact that this interpretation appears to be absurd and to be an attepmt to wriggle out of the position created by the judgment of the Hon'ble Chief Justice?

The Hon'ble Khwaja Sir NAZIMUDDIN: On the other hand I feel that this is a perfectly good interpretation. The honourable member has not understood the law on the point.

Mr. SPEAKER: In putting supplementary questions I should like honourable members to consider the desirability of not using adjectives and adverbs in connection with questions and answers wherever practicable.

Dr. NALINAKSHA SANYAL: That applies to the Government side also.

Mr. SPEAKER: Yes.

Mr. SANTOSH KUMAR BASU: On a point of personal explanation, Sir. I am not using any adjective with reference to the Hon'ble Minister himself but his interpretation can certainly be characterised as absurd and foolish.

Mr. SPEAKER: This is not a time of discussion. If it had been a question of discussion, that question would have arisen. While trying to elicit facts it is desirable that the use of expressions which might be taken to be offensive or which are more or less unnecessary should be avoided as far as practicable.

Mr. NISHITHA NATH KUNDU: With reference to answer (*a*), may we know what more rights and privileges have been granted to those who have been detained under Regulation III of 1818?

Mr. SPEAKER: That is again comparative.

Mr. NISHITHA NATH KUNDU: In question (*a*) attention has been drawn to the judgment: "It must be pointed out——"

Mr. SPEAKER: You cannot say what more rights and privileges.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state what are the rights and privileges granted to them as Regulation III prisoners?

Mr. SPEAKER: He has answered that when he said that he could not go into details but that all the rights and privileges to which persons detained under Regulation III of 1818 were entitled had been granted to them.

Mr. ATUL KRISHNA GHOSE: Mr. Speaker, Sir, আমি একটু নিবেদন করতে চাই। এখানে এ প্রশ্ন উঠতে পারে কি না—. কেউ security prisoner যখন ছিল, সে তখন ২০৲ টাকা পেত, সে যখন Regulation III prisoner এঁদের অনুগ্রহে যখন হোলো তখন সেই ২০৲ টাকা বাড়লো না কমলো, এই রকম একটা comparative figure যদি দেন তা'হলে বিষয়টা পরিষ্কার হয়ে যায়।

The Hon'ble Khwaja Sir NAZIMUDDIN: On the other hand if the honourable member had only thought of it and put a question like that he would have got a reply. Why did he not think of it before?

Srijut NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to let us know what is the correct report of the Hon'ble Chief Justice's direction in this matter?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would only ask the honourable member to read my reply more carefully.

Srijut NARENDRA NATH DAS GUPTA: I have read it.

The Hon'ble Khwaja Sir NAZIMUDDIN: No, Sir.

Grants-in-aid to primary schools of Midnapore district.

***71. Mr. KRISHNA PRASAD MANDAL:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that during the last ten years the grants-in-aid to the primary schools of the Midnapore district are continually decreasing per teacher and per school?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons thereof?

(*a*) Will the Hon'ble Minister be pleased to state whether any amount is being spent to help the primary schools in the district for reconstruction of the houses which have collapsed during the last cyclone on the 16th October, 1942?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) No.

(*b*) Does not arise.

(*c*) A total sum of Rs.2,24,258 has since been sanctioned as detailed below:—

(*i*) Ordinary grants for repairs to Board Primary Schools—Rs.3,233.

(*ii*) Grant for repairs to cyclone-damaged schools—Rs.2,18,025.

(*iii*) Additional grants for same—Rs.3,000.

Total—Rs.2,24,258.

Dr. GOBINDA CHANDRA BHOWMIK: মন্ত্রী মহাশয় বলবেন কি কতগুলি লোককে সাহায্য দেওয়া হইয়াছিল এবং কত টাকা ?

The Hon'ble Mr. TAMIZUDDIN KHAN: The number of schools that were affected is 1,175. Most of these schools have been given grants.

Dr. GOBINDA CHANDRA BHOWMIK: Secondary Schoolকে সাহায্য করা হয়েছে কি না এবং করা হয়ে থাকলে কত টাকা করা হয়েছে, মন্ত্রী মহাশয় আমাদের জানাবেন কি ?

Mr. SPEAKER: The question relates to primary schools, you cannot ask questions relating to secondary schools.

Mr. ABDUL KARIM: Will the Hon'ble Minister be pleased to state if Government consider it desirable to spend money for relief of teachers in these primary schools?

The Hon'ble Mr. TAMIZUDDIN KHAN: Some money has been granted for that purpose. For renewal of appliances Rs. 62,088 has been granted and for financial relief to teachers Rs. 1,17,200 has been granted for this district.

Outbreak of malaria in Kishoreganj and Netrokona subdivisions, Mymensingh.

***72. Mr. MONOMOHAN DAS:** (*a*) Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware that—

(*i*) malaria, in epidemic form, has been sweeping over many places of Kishoreganj and Netrokona subdivisions in the district of Mymensingh for the last three years; and

(*ii*) specially Dhala, Bhowal, Routhi, Talganga, Sachail and Dighdair unions of Tarail thana and Gazadia, Kadir Jungle and Karimganj unions of Karimganj thana of Kishoreganj subdivision have been very seriously affected?

(*b*) Will the Hon'ble Minister be pleased to lay on the Table a statement showing union by union from the 1st January, 1942, till the 30th June, 1943, the total number of deaths caused by malaria in the unions referred to in (*a*) (*ii*)?

(*c*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, have been taken by Government to prevent malaria?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): (*a*)(*i*) Yes, there have been outbreaks of malaria in Netrokona and Kishoreganj subdivisions.

(*ii*) From the report of the District Health Officer it appears that all these unions were badly affected by malaria except the union of Routhi.

(*b*) A statement is laid on the Library Table.

(*c*) 2,498 lbs. of quinine for sale and 1,888 lbs. of quinine and 1,472 lbs. of cinchona febrifuge for free distribution have been sent to the district of Mymensingh during 1943-44.

Besides, 35 doctors were deputed by the Director of Public Health on requisition from the Chairman of the District Board to open malaria treatment centres in the affected areas of the district during the period from January, 1942, to 15th July, 1943.

Government have since sanctioned a scheme providing for establishment of two sub-centres attached to every charitable dispensary in the province for treatment of malaria cases by means of free distribution of quinine. Government have also sanctioned employment of a large number of doctors, sanitary inspectors and health assistants for anti-epidemic work.

Owing to the vastness of the problem and dearth of anti-larval and anti-mosquito materials, no preventive steps could be undertaken other than the sterilisation of patients with quinine, which constitute the first step in the prevention and spread of the disease.

Babu MADHUSUDAN SARKAR: With reference to answer (*c*), namely, that some quinine was sent for free distribution, will the Hon'ble Minister be pleased to tell us the system adopted by Government for free distribution of quinine at the present time?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: The agency through which the distribution of quinine is made is as follows: Supplies are given to municipalities and district boards by the District Rationing Authority on their requisition of quinine. Medical staff is also sent to malarial areas. Medical units are also sent to the districts. Temporary medical officers were also sent for charitable dispensaries in the subdivision of Tangail. At present the arrangement has been somewhat changed and the member is referred to the Press Communique issued by the Government of Bengal.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state what is the amount of quinine for sale that has been allotted to the Kishoreganj subdivision and what is the allotment out of the quota for the free distribution of quinine as well as Cinchona Febrifuge for Kishoreganj?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I have got no separate figures.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state what agency has been appointed by Government for the free distribution of quinine and Cinchona Febrifuge and also for the sale of Government quinine?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I have just given a reply to that in my previous answer.

Maulvi MUHAMMAD ISRAIL: Sir, in the reply that has been given the Hon'ble Minister referred only to municipalities. May I refer him to the position in rural areas and ask him what is the system of free distribution of quinine in rural areas?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: In the answer I have stated not only about the distribution in municipalities but also about distribution in rural areas. If the member so likes, I may again say that subdivisional officers were authorised to select non-official agencies whom they considered reliable and then there were treatment centres where quinine was distributed. There are also sanitary assistants to whom quinine is given for free distribution at present.

Maulvi MUHAMMAD ISRAIL: With reference to sterilization of patients will the Hon'ble Minister be pleased to state how many patients have been sterilized and whether any register is kept of the patients so sterilized?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I do not know whether any register is kept but at present we have issued instructions to the treatment centres to keep registers.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state with reference to the thirty-five doctors, who have been deputed by the Director of Public Health to Mymensingh, may I ask the Hon'ble Minister as to how many doctors have been allotted to the worst affected areas of Kishoreganj?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: All these doctors were sent to the worst affected areas in consultation with the district board of Mymensingh and the local authorities and I have no separate figures with me showing their allotments in different areas.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state whether there are any such centres where charitable dispensaries have been opened?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I am informed that recently some centres have been opened.

Khan Bahadur ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state how the areas where there are no charitable dispensaries and where no treatment centres can be opened are proposed to be served?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I have already answered that question. The subdivisional officers have been asked to select non-Government agencies. That means any persons whom they or the District Magistrate consider reliable in areas which are out of the reach of charitable dispensaries or of the treatment centres are selected for the distribution of quinine.

Khan Bahadur ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state the nature of these non-official agencies selected by the subdivisional officers?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I have already answered that question.

Khan Bahadur ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state what are the agencies selected by the subdivisional officers for distribution of quinine?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I submit it is too vague a question.

Khan Bahadur ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state what are the non-official agencies selected generally or selected in those particular areas by the particular subdivisional officers concerned?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: The kind of persons whom the subdivisional officers consider to be reliable, for example, teachers of schools, union board presidents, graduates, zamindars or respectable traders or any other persons on whom the subdivisional officers can depend.

Babu MADHUSUDAN SARKAR: Will the Hon'ble Minister be pleased to tell us whether the system adopted by Government in the district of Mymensingh is common for all the districts or it is particularly for that district?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: The rules of the Government have been published in the press by a Press Communique and the rules apply to all the districts.

Mr. AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state whether in the rules that have been framed for the purpose only schoolmasters are stated and not other persons such as traders, graduates and zemindars?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: No, there is no specific mention of school-masters.

Mr. AHMED ALI MRIDHA: Yes, there is.

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: The Government instruction is whomsoever Government considers reliable.

Mr. MONMOHAN DAS: Will the Hon'ble Minister be pleased to state whether it is a fact that malaria has been prevailing there in so virulent a form that the normal functions of union boards have been suspended and that the figures of death rate that have been laid on the Library Table are not correct?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: The figures of death rate are correct so far as the official information goes and I am not aware of any suspension of work anywhere on account of the outbreak of malaria.

Mr. MONMOHAN DAS: Will the Hon'ble Minister kindly enquire whether it is a fact that particularly in the union of Bhujadia the death figure has been given as 578 and whether it is a fact that the present relief association, particularly the Bengal Relief Society, that enquired and procured some figures have found—so far as my information goes—that 3,000 people have already died in the year 1943 whereas the death figure given by Government is 578?

Mr. SPEAKER: You are putting too many questions in one question. Put one after another.

Mr. MONMOHAN DAS: The Hon'ble Minister said in reply to my previous question that the death figure that has been laid on the Library Table is a fact and is true. Will the Hon'ble Minister be pleased to enquire whether it is a fact that the figure that has been placed on the Library Table is not correct and that the figure that has been procured and collected by the other private relief association that has been working in the mufassil is different from the Government figure?

Mr. SPEAKER: I am sorry you have not been able to put your question.

Mr. CHARU CHANDRA ROY: Sir, going through the question, I find that no answer has been given to question (*c*). We want a definite answer from the Government what they have done in the malaria-stricken areas and not in the whole of the district.

Mr. SPEAKER: That has been stated in answer (*c*).

Mr. CHARU CHANDRA ROY: That shows what amounts of quinine and cinchona febrifuge have been sent to the district of Mymensingh.

Mr. SPEAKER: That is the preventive step taken.

Mr. CHARU CHANDRA ROY: But that is not the preventive step taken for the area—it is for the whole district. We want to know what Government have done for the particular area.

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: This quinine has been sent for the affected areas within the district.

Mr. CHARU CHANDRA ROY: But that is not the answer.

Mr. SPEAKER: That may not be the answer, but the Hon'ble Minister prefers to answer in that way.

Babu MADHUSUDAN SARKAR: Will the Hon'ble Minister be pleased to state, in view of the discrepancy of the figures given by Government and the Bengal Relief Society——

Mr. SPEAKER: Why do you say that there is any discrepancy?

Babu MADHUSUDAN SARKAR: Will the Hon'ble Minister be pleased to enquire about the correctness of the figure given by Government?

Mr. SPEAKER: He has already stated that the information given is correct. So, how does that question arise?

Babu MADHUSUDAN SARKAR: In view of the discrepancy——

Mr. SPEAKER: There is no discrepancy anywhere. You may ask whether Government is aware that some census has been taken by some other body, and, if so, what are the figures. If you ask that, then that would be something.

Khan Bahadur ABDUL WAHAB KHAN: In answer (*c*), it has been said that Government have sanctioned a scheme. I want to know if the scheme has been put into execution and, if so, since when.

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: Yes, it has been put into operation since December.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware that a large number of deaths took place in the months of October and November from malaria?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: No, I do not accept that a large number of deaths occurred.

Mr. MONMOHAN DAS: If I say that the figure given by Government is not correct, can the Hon'ble Minister challenge my statement?

Mr. SPEAKER: That is a hypothetical question. I cannot allow that.

Mr. MONMOHAN DAS: Will the Hon'ble Minister be pleased to state if Government will be in a position to challenge if I say that the Government figure is not correct?

Mr. SPEAKER: He has replied to that.

Maulvi AHMED ALI MRIDHA: With reference to paragraph 2 of the answer at page 6, will the Hon'ble Minister be pleased to state whether the scheme is a provincial one or it relates to the district of Mymensingh only?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: For the province as a whole.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state how many sub-centres are there in the district of Faridpur?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: I want notice.

Mr. ABUL HOSAIN AHMED: Will the Hon'ble Minister be pleased to state whether quinine centres have been established or started in places not served by union board or district board dispensaries?

The Hon'ble Khan Bahadur Maulvi JALALUDDIN AHMAD: There cannot be any quinine centres but the non-Government agencies have been selected by the subdivisional officers.

Discussion in connection with the answering of Starred Question No. 73 by the Parliamentary Secretary.

Dr. NALINAKSHA SANYAL: In connection with Starred Question No. 73 may I submit, Sir, that the Hon'ble Minister is not present. The question may be held over, because I am almost certain that the substitute, namely, the Parliamentary Secretary, cannot do justice to it.

Mr. SPEAKER: You are presuming something.

Dr. NALINAKSHA SANYAL: That is what I am apprehending. I submit, Sir, that the question may be held over till the Hon'ble Minister may be in a position to reply himself.

There is another submission that I have to make. I have already submitted a short-notice question on this very subject which relates to the life and death question of a large number of people. In view of its urgency, I submit that this question may kindly be taken up either tomorrow or the day after along with the other question.

Mr. KIRAN SANKAR ROY: Sir, I support the submission made by Dr. Sanyal in view of the importance of this question. The Hon'ble Minister in charge was present in the House only five minutes ago. Let us have the answer to this question when it will be convenient for him to attend this Assembly.

Khan Bahadur MOHAMMED ALI: Why cannot this question be answered by a Parliamentary Secretary?

Dr. NALINAKSHA SANYAL: Because it is so important that he will not be able to give any reply.

Mr. SPEAKER: Order please. There is a request from the leader of a party and it is for the Government to consider whether the request may be complied with. Of course under the rules I sitting here cannot say that a Parliamentary Secretary will not be able to do justice until I am satisfied after seeing things whether he is in a position to answer or not, but when the request has come from the leader of a party, I would ask the Government side to say if there is any objection to this question being held over for being answered by the Hon'ble Minister himself.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, in the absence of the Leader may I suggest that the question should be put and answered by the Parliamentary Secretary? In case any point arises which it is not possible for the Parliamentary Secretary to answer, a further question may be allowed on short notice. I quite realise that the subject is an important one, but there is no reason to suppose that the Parliamentary Secretary is not in a position to answer the supplementary questions.

Dr. NALINAKSHA SANYAL: Sir, it has been the recognised privilege of this House that when Ministers in charge think that they would require some time more, they submit to you to hold over a question, and it is also the privilege of the Opposition that if they at any stage think that a question may be held over, it has never been refused and automatically as a matter of course and courtesy it has been agreed to. I do not want to press the point regarding the ability or otherwise of the Parliamentary Secretary, but I have another submission to make, namely, that I have put in another question on this very item which I consider to be so very important and this may be conveniently taken up along with this question, and it will be convenient both for the Department as well as for the Minister concerned to deal with the two together. In this view of the thing I submit that this question may be held over for a day or two.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: That would be a very wrong principle and that is my only objection.

Mr. FAZLUR RAHMAN: Sir, it has not been ascertained whether the Parliamentary Secretary will be in a position to reply to this question. The Opposition will only be justified when they will find that the Parliamentary Secretary is not in a position to answer the question. Before that I do not think that a case has been made to say that the question should be held over.

Mr. ABDUR RAHMAN SIDDIQI: Sir, don't you think that there is a danger to the general conduct of business in this House if requests of this nature are made to you, and there is poison in the request in the shape of reflection on the capacity of a Parliamentary Secretary whose duty it is to answer the questions. Sir, such requests may be intended to disturb the conduct of business in this House. A question has come up; it is going to be answered under the normal rule, and therefore, if such requests are

to be made, they should be made outside in the lobby and arrangement come to. Otherwise I think it will not be in the interests of parliamentary procedure to make such requests.

(At this stage the Hon'ble Minister in charge entered the Chamber.)

Mr. SPEAKER: I see the Hon'ble Minister is already in, and, therefore, I am relieved of the responsibility of giving a ruling.

Mr. ABDUR RAHMAN SIDDIQI: Whether the Hon'ble Minister is here or not I am seeking your guidance in this matter whether such remarks should be allowed and whether work of this House should be held up by requests of the nature made.

Mr. SPEAKER: If I am called upon to give a ruling, I am called upon to do so on actual state of facts. It is well known that the Speaker cannot be asked to give a ruling on hypothetical facts. When the question was put here, the facts were that the Hon'ble Minister in charge was not in this House. In the meantime, the Hon'ble Minister in charge has come to this House. Therefore, it has now become an academic question and does not directly arise and I am not called upon to give a ruling on this point, but in fairness I must observe at this stage that it is not fair without hearing anybody to say, whoever he may be, either a Minister or a Parliamentary Secretary, that he will not be able to do justice to a particular question.

(Cries of "hear, hear" from the Coalition Benches.)

Dr. NALINAKSHA SANYAL: Sir, I have made my submission on two grounds. If our friends on the opposite are definitely intending to expose one of their Parliamentary Secretaries, I will now reassert my original statement and I do claim that this House has a privilege to get the best answer possible from Government and, Sir, if any Parliamentary Secretary that seeks to reply to this question is not in a position to reply to our supplementaries, I hope you will exercise your power to see that he ceases to deal with questions in a frivolous manner. I am sure he will ask for notice on every supplementary question. I am certain that he will not be able to do justice to this question. It is a matter of serious import affecting the life and death of a large number of people.

Mr. SPEAKER: Practically we have come to the end of the question time.

Dr. ABDUL MOTALEB MALIK: That was their object.

Dr. NALINAKSHA SANYAL: That might have been the object, but if things are done in this way, I cannot help saying that the Parliamentary Secretary concerned should have better courage, better discretion. I did not want to press the point, but now I do.

I say, Sir, that my esteemed friend the Parliamentary Secretary concerned should have better courage, better discretion——

Khan Bahadur MOHAMMED ALI: Sir, there should not be this aspersion.

Mr. SPEAKER: Question time over.

Adjournment motion.

Mr. SURENDRA NATH BISWAS: Sir, I have got your consent to move my adjournment motion to the effect that the business of the Assembly do adjourn for the purpose of discussing a definite matter of urgent public importance, namely, the situation arising out of the decision recently arrived at by the Government of Bengal to encourage and advise the agriculturists to produce jute during the coming season in full eight annas of the basic acreage of 1940, to be sold at a maximum price to be fixed on the basis of Rs. 17 for Indian "Jat" middles at Calcutta, the prices of other qualities or grades of raw jute being in parity with that price, while Bengal is in the grip of famine for want of sufficient food crop.

Sir, there is a short statement with me.

Mr. SPEAKER: Please pass it on to me.

(Copy handed to Speaker.)

Mr. SPEAKER: A question has arisen whether notice has been received by the departments concerned and I have got to verify it.

Dr. NALINAKSHA SANYAL: That does not concern us. Let us have the question of admissibility decided first and then have the time fixed.

Mr. SPEAKER: That is not fair.

Mr. SURENDRA NATH BISWAS: Sir, in any case I want the leave of the House to move the adjournment motion.

Khan Bahadur MOHAMMED ALI: Government have no information on that.

Dr. NALINAKSHA SANYAL: May I submit, Sir, that the rules do not require any notice to the Government at all! In fact in the Central Legislature there had been numerous occasions in which immediately arising out of questions and answers given in the House straight off adjournment motions were tabled and taken up on the very day. The members on behalf of Government who are present in the House should in such cases be in a position to deal with the adjournment motion straightaway if they are equal to their task and if they always require tutoring by the department they had better vacate their office.

Khan Bahadur MOHAMMED ALI: I object to that statement. If Government had received information (Dr. NALINAKSHA SANYAL: There is no question of Government.) they would hove come prepared with an

explanation and then there might not be any necessity for moving this adjournment motion at all. We can of course explain every thing. You do not expect Government to come prepared for every contingency.

Mr. SPEAKER: Can you make any categorical statement to the effect that you did not receive any notice?

Khan Bahadur MOHAMMED ALI: I cannot speak for the other departments.

Mr. FAZLUR RAHMAN: I may say that the Hon'ble Minister for Agriculture and the Hon'ble Minister for Commerce and Labour have not received any notice of this adjournment motion.

Mr. SPEAKER: Sometimes it so happens that notices are not made over to the Hon'ble Ministers but made over to the departments concerned. It may be mislaid somewhere. Either there is some negligence on the part of this department or there is some negligence on the part of some other departments concerned. This matter requires a little enquiry and a little time. So, I adjourn the House for 15 minutes.

(At this stage the House was adjourned for 15 minutes.)

(After adjournment.)

Mr. SPEAKER: I have looked into the records of this office and it appears that twice copies of this adjournment motion have been sent. Of course, it cannot be said definitely from the records as to the exact time when it was despatched from this office but the practice, I understand, is that immediately on receipt of an adjournment motion, before it is even noted upon or it is admitted or consent of the Speaker is sought, copies are sent to the Secretary to the Governor, to administrative departments as well as Secretaries to the Government in the administrative departments and again when after examination consent of the Speaker is given copies are sent once more to the Secretary to the Governor, to Secretaries to Government in the respective departments concerned as well as to the departments concerned. It appears from the records that twice as usual copies have been received by Secretaries as well as by departments. When I said "Secretaries", it does not necessarily mean that copies were actually handed over to Secretaries. It depends upon the practice followed in the office itself. But it is clear that twice these copies have been despatched and twice received. That is what appears to be the state of things so far as I could gather from the records of this office up till now. I should like to know what is the position of Government if Government have got to say anything with regard to it.

The Hon'ble Mr. Khwaja SHAHABUDDIN: As far as we are concerned, I have made enquiries. Till the matter was raised here I had no information that any such notice was sent. As soon as I heard about it, I made

enquiries from the Secretary to Government in the Commerce and Labour Department and he told me that notice had reached him at 5 o'clock. That is the position as far as we are concerned. We were all here——

Dr. NALINAKSHA SANYAL: Was it the 1st or 2nd notice?

The Hon'ble Mr. Khwaja SHAHABUDDIN: First or second, I did not enquire. I simply asked "Have you received any notice of any adjournment motion over this question?" He said "Yes". Then I asked "When was it received?" He said "It was received at 5 o'clock".

Mr. SPEAKER: That was about the Commerce Department. But I think that notices have also been sent to the Department of Agriculture. My Department could not say definitely whether it belongs to the Agriculture Department or Commerce Department.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN: At 5-30 p.m. when I first heard of the notice of the adjournment motion, I made enquiries. But the Secretary had already left office. So, I had no notice of it.

Mr. SPEAKER: It is clear to me that notice had been sent from this office and notice had been sent not once but twice.

The Hon'ble Mr. JOGENDRA NATH MANDAL: When and what was the time?

Mr. SPEAKER: Well, that is not for me to say. Notice was twice sent from this office and this notice was twice received also, and the statement made on behalf of the Government does not definitely establish that notices were received at the time alleged. Notices might have been received in the office by some clerk and he might have been negligent. Therefore the question of not receiving notice in time does not affect this House at all. It is a serious affair. I will enquire if there have been any latches on the part of this Legislative Assembly Department. But from the records it appears to me that there have not been any such latches. Similarly, I hope Government will also enquire into this matter very carefully. It is a serious affair and it may be necessary for our future guidance that some definite steps may be taken in this direction noting the time when it is dispatched and when it is received.

Apart from this question, as far as I can see, the rules do not require that the Government side should have any notice before they come to the House. It is certainly convenient for everybody concerned that if both the sides are prepared it will be better to deal with a matter of this description. But in the absence of any definite rules requiring that notice should be given to Government and in the nature of the thing itself I think, under the circumstances in the present case, I cannot accept the objection that Government might put forward with regard to the non-receipt of this notice, as they say, in time. Therefore, I would ask the Government side now to state if they have got anything to say with regard to the admissibility of this motion for discussion.

Khan Bahadur MOHAMMED ALI: Sir, I have read the motion carefully and it appears to me that it does not carry any sense. It says that the business of the House do adjourn for the purpose of discussing a matter of urgent public importance, but it simply makes a recital of what has happened: it does not say whether the situation has created any alarm or bad feeling by any failure on the part of Government. So, it is entirely a meaningless motion. Therefore, I submit that it would be mere waste of time to take up the motion as it has been worded. I would request you, Sir, to please read it.

Mr. SPEAKER: Mr. Mohammed Ali, you have asked me to read it and you have characterised it as carrying no sense whatsoever. I have read it, and you know the rules. The rules require it to be placed before me and I have given my consent. You simply say whether there is anything in the rules which debar a discussion on the present motion today.

Khan Bahadur MOHAMMED ALI: Sir, I object to this motion, firstly, because it is not a matter of definite public importance, secondly, because it is vague, and thirdly, because it carries no meaning, it does not say what is the situation created. That is why I say it is not admissible. Under the rules it must raise a definite matter of urgent public importance, but there is nothing definite in the resolution: it simply makes a recital of what has happened and nothing else.

Mr. FAZLUR RAHMAN: Sir, I object to this resolution——

Mr. SPEAKER: Order, order. I feel it is desirable that while discussing about the admissibility of an adjournment motion, if there is any objection on the part of the Government an Hon'ble Minister should speak on behalf of the Government. But in view of the fact that one Parliamentary Secretary has spoken, I think it is not desirable that another Parliamentary Secretary should rise to speak. If you want to say anything, I think you should choose your spokesman and let him speak.

Khan Bahadur MOHAMMED ALI: Sir, if one person has made his submission first, is it your point that no other person should be allowed to speak? But that will be to our disadvantage.

Mr. SPEAKER: It is desirable in the interest of economy of time at least, if not for anything else, that the Government side should have one spokesman. But as you say in the present case you may be at a disadvantage, I will allow two of you to speak. You have spoken and let another of your party speak on behalf of the Government.

Mr. FAZLUR RAHMAN: Sir, will you kindly refer to rule 96? In rule 96 it is laid down that a motion for adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.

Now, Sir, here the point is, "for the purpose of discussing a definite matter". Therefore the matter must be made definite in the resolution. But, Sir, if you go through it you will find that the matter is not at all

definite; it is vaguely worded and it does not carry any sense, as my honourable friend Khan Bahadur Mohammed Ail has said. The rule requires that the matter must be a definite matter of urgent public importance, but the mover of the resolution has failed to satisfy that it is a case of a definite matter. The resolution runs as follows:

"That the business of the Assembly do adjourn for the purpose of discussing a definite matter of urgent public importance, namely, the situation arising out of the decision recently arrived at by the Government of Bengal to encourage the agriculturists to produce jute during the coming season....." But what is the effect of this on the production of jute in the coming season, they have not said. Then ".....in full eight annas of the basic acreage of 1940, to be sold at a maximum price to be fixed on the basis of Rs. 17 for Indian 'Jat' middles at Calcutta, the prices of other qualities or grades of raw jute being in parity with that price, while Bengal is in the grip of famine for want of sufficient food crop."

Now, Sir, what is the situation, whether the situation is bad or whether the situation is good. There must be some effect for which Government should be held responsible. They only want to discuss a situation arising out of the fixing of the maximum price of jute and the encouragement to the cultivators to grow more jute up to eight annas. Therefore, Sir, there is nothing in the motion, as it is worded, to show that a definite case has been made out for a definite matter of urgent public importance. Therefore I would say that it does not satisfy the requirements of rule 96 and, as such, it cannot be admitted.

Mr. SPEAKER: I do not think that the motion infringes any of the rules. It is a definite matter of urgent public importance and of recent occurrence. It does not infringe any rule and it is in order. I allow this motion to be moved for discussion. Is there any objection?

The Hon'ble Mr. Khwaja SHAHABUDDIN: Yes.

Mr. FAZLUR RAHMAN: No objection.

Mr. SPEAKER: The Minister says "yes" and the Chief Whip says "no". Which is the Government view?

The Hon'ble Mr. Khwaja SHAHABUDDIN: The parliamentary practice is that the Chief Whip advises the Government. There is no harm in that.

Mr. SPEAKER: But I want to be sure before I call upon the other side to rise in their seats. My duty is to ascertain the real state of facts. I take it that the Government has got no objection.

(There was no objection.)

Then this will be discussed. I fix 6-15 today as the time for discussion.

The Hon'ble Mr. Khwaja SHAHABUDDIN: Before you do that may I submit if you are fixing today——

Dr. NALINAKSHA SANYAL: It is already fixed.

The Hon'ble Mr. Khwaja SHAHABUDDIN: He has allowed me to make a submission. Sir, if you take up at 6-15 today it will at least go up to 8-15. It will be very inconvenient for the members to sit up late in a black-out night and it will be difficult. I would submit that this motion be taken up on Friday when there is no other business.....(Cries from the Opposition: "No, no"; it is a non-official day.) I have not finished. Sir, I would submit as a suggestion that it would be more convenient if you take it up on Friday. (Cries of "No, no" from the Opposition benches.) It is a suggestion and it is not for the members to accept.

Dr. NALINAKSHA SANYAL: We have got to express our view and approval.

The Hon'ble Mr. Khwaja SHAHABUDDIN: Otherwise it may be taken up tomorrow if it is convenient to every party. If it is taken up today it will be inconvenient to sit up to 8-15.

Mr. SPEAKER: I am sorry I cannot accede to the request made on behalf of Government. It is in the very essence of adjournment motions that they should be discussed on that very day by postponing all other business of the House on that day. (Maulvi AHMED ALI MRIDHA: There are precedents.) It has been stated that there are precedents when adjournment motions have been discussed on a subsequent day, but I am not aware if any adjournment motion has been discussed on a subsequent day when there has been only one adjournment motion. Is there any precedent?

The Hon'ble Mr. Khwaja SHAHABUDDIN: Yes, there are.

Dr. NALINAKSHA SANYAL: There have been one or two cases by mutual consent of all the parties.

Mr. SPEAKER: I want to know because I want to ascertain facts.

The Hon'ble Mr. Khwaja SHAHABUDDIN: You can be sure, Sir, we won't mislead you.

Mr. SPEAKER: I am in a somewhat difficult position. My own interpretation of the rule is that an adjournment motion will lose its significance if it is not discussed on that very day.

Maulvi AHMED ALI MRIDHA: Provided both parties agree.

Mr. SPEAKER: Will you kindly allow me to finish? Let me make up my mind. I said once I have fixed the time but still I have reopened the matter. I am prepared to give you all facilities to make your submission. As I have said, my own interpretation of the rule is that an adjournment motion must be taken up on that very day and the rule seems to me to require that. It does not say that the Speaker will fix a day. It says that the Speaker shall intimate the hour at which the motion will be taken. Necessarily, apart from the sense of an adjournment motion, the very essence of which is that that particular matter should have precedence over every other matter to be discussed, the rule, I am afraid, does not admit of any other interpretation, but there have been precedents.

The Hon'ble Mr. Khwaja SHAHABUDDIN: Just one interruption Sir. The precedent and the practice of the other House are there.

Dr. NALINAKSHA SANYAL: We are not concerned with the other House.

Mr. SPEAKER: When I am speaking it is desirable that you should not interrupt me. When I have finished you may speak. I have already said I will give you the greatest possible latitude in this matter because there appears to be a practice inconsistent with the rule as I interpret it.

Now, there have been occasions when there have been more than one adjournment motion; one has been discussed and the others have been postponed for discussion to a subsequent date. That is admitted.

The second point is, and it has been admitted by Dr. Sanyal, that there have been occasions when a solitary adjournment motion admitted by the Speaker and for which leave has been granted by the House has been postponed for discussion to a future date. (Dr. NALINAKSHA SANYAL: By mutual consent.) I am coming to it. This fact is admitted that it has been discussed on a subsequent date. The point now arises whether it was by mutual consent or not. Now, there is a good deal of force when the entire House agrees to a certain state of things because the rules are also made by the House for the convenient transaction of the business of the House, but apart from that question I want first of all to know whether it is a fact that that was done with the consent of the Opposition. That is a thing that requires ascertaining. Therefore, can anybody on the side of the Government give me any light on this point? Dr. Sanyal says it is only with an agreement of all the parties concerned that that has been allowed.

The Hon'ble Mr. Khwaja SHAHABUDDIN: As far as I remember the consent question was not essential but on more than one occasion the Speaker fixed a later date and mutual consent was not necessarily taken. I also do not deny that on one or two occasions it was agreed that it may be taken on a later date. I only rely on my memory.

Dr. NALINAKSHA SANYAL: On occasions when no question of consent was discussed in the House, invariably the Whips of the parties were consulted by the Speaker and we had exchanged our views and agreed to the Speaker's suggestion of a subsequent date. That is the real position. Whether the discussion took place in the House or not it was by agreement. It is a fact that by agreement we had an adjournment motion on a subsequent date.

Mr. SPEAKER: It appears to me that this has been done by agreement—it may be by express agreement or by agreement implied. But can there be no agreement today on this question? I would adjourn the House now for 15 minutes because at 6-30 p.m. we have our prayer time.

The Hon'ble Mr. Khwaja SHAHABUDDIN: Sir, if you are thinking of fixing today it is better to take it up now.

Mr. SPEAKER: I am not thinking of that at all.

The Hon'ble Mr. Khwaja SHAHABUDDIN: I think it is better to decide now. If we have to take up the adjournment motion today, we should take it up immediately, because if it is taken up after prayer we shall have to sit late.

Khan Bahadur MOHAMMED ALI: Sir, you may ask for the opinion of the Opposition and if it suits them we may begin now.

Mr. SPEAKER: May I ask the Opposition Whip just to tell me if they can agree to postponement of this motion for discussion till tomorrow?

Dr. NALINAKSHA SANYAL: We are unanimous on one point, namely, that there should be no postponement till Friday which is a non-official business day.

Mr. SPEAKER: That is out of the question.

Dr. NALINAKSHA SANYAL: So far as the convenience of the members is concerned, we feel that while we agree that the adojurnment motion should in all fairness be taken up on the very day it is moved if Government plead inability to deal with the matter we are prepared to accommodate them.

The Hon'ble Mr. Khwaja SHAHABUDDIN: We are prepared today.

Dr. NALINAKSHA SANYAL: If Government do not plead inability, there is no question of postponement. If Government require time for preparing themselves till tomorrow we may not stand in the way.

Mr. FAZLUR RAHMAN: Only on the ground of convenience to members we may agree to postponement till morrow.

Mr. SPEAKER: Government say that they can agree to postponement not on the ground of preparation but on the ground of convenience of members.

Rai HARENDRA NATH CHAUDHURI: Convenience to members on which side?

Nawabzada K. NASARULLAH: On both sides.

Mr. SPEAKER: It appears to me that there is no serious opposition to postponement of this matter till tomorrow. As for convenience it cannot be denied that it is convenient to all members. (Laughter.) Sitting till late hours in the House in these days of black-out and in this inclement weather it would be inconvenient to me at least.

Mr. SASANKA SEKHAR SANYAL: Before you give your final ruling, Sir, we have come to a decision that if the Opposition cannot accommodate Government they will accommodate the Speaker.

Mr. SPEAKER: Thank you. This matter will be discussed tomorrow after question time. But I would like, at the same time, to tell the House that I think in future I would have to consider the question of procedure and I shall do that in consultation with all party leaders.

Adjournment.

The House was then adjournment at 6-20 p.m. till 3-30 p.m. on Wednesday, the 9th February, 1944, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 9th February, 1944, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI) in the Chair, 13 Hon'ble Ministers and 187 members.

STARRED QUESTIONS

(to which oral answers were given)

Salaries paid to A.R.P. employees in Calcutta.

*74. **Khan Bahadur Maulvi MUHAMMAD SOLAIMAN:** (*a*) Will the Hon'ble Minister in charge of the Home (Defence) Department be pleased to lay on the Table a statement showing the total amount paid as salary to the—

(*i*) Hindu, and

(*ii*) Muslim

employees of the following A.R.P. Services in Calcutta:—

(*i*) Fire Parties,

(*ii*) Warden Service,

(*iii*) Communications Service,

(*iv*) Casualties Service,

(*v*) Rescue Service,

(*vi*) Training Department and

(*vii*) Offices of the Heads of different Services,

(1) for the period from the beginning of A.R.P. Services to the end of August, 1942; and

(2) for the month of August, 1942, only?

(*b*) Is the Hon'ble Minister aware that—

(*i*) the Muslim population predominates in the Manicktola A.R.P. Sub-area, and

(*ii*) the majority of the A.R.P. employees is Hindu?

(*c*) If the answer to (*b*) (*ii*) is in the negative, will the Hon'ble Minister be pleased to state the number of—

(*i*) Hindu, and

(*ii*) Muslim

employees of the A.R.P. Services in the Manicktola Sub-area?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) A statement is laid on the Table.

(*b*) (*i*) The Muslim population does not predominate.

(*ii*) Yes.

(*c*) Does not arise.

Statement referred to in reply to clause (a) of starred question No. 74.

Service.	For the whole period of the A. R. P. up to the end of August, 1942.		For the month of August, 1942.	
	Hindu.	Muslim.	Hindu.	Muslim.
	Rs.	Rs.	Rs.	Rs.
Fire Parties	31,370	19,113	2,820	2,780
Wardens	7,00,475	91,370	83,000	13,530
Communications	46,037	7,112	9,092	1,383
Casualties	3,63,535	1,07,921	45,930	13,740
Rescue	55,200	92,400	12,000	18,000
Training	26,372	5,433	7,327	1,266
Offices of the Heads of different Services.	28,065	13,870	3,135	1,462

Dr. NALINAKSHA SANYAL: With reference to answer (*a*), where the amounts are shown against Hindu and Muslim, will the Hon'ble Minister in charge be pleased to state if the Hindu section includes all non-Muslims or only Hindus specifically are picked up?

Khan Bahadur MOHAMMED ALI: Only Hindus but including Scheduled Castes.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it does include Anglo-Indians and Indian Christians also?

Khan Bahadur MOHAMMED ALI: No.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what were the numbers of applicants from the community of Muslims and correspondingly of non-Muslims for the respective posts? The total number would do.

Khan Bahadur MOHAMMED ALI: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if any Muslim applicant was not given appointment under A.R.P.?

Khan Bahadur MOHAMMED ALI: I want notice.

Irrigation scheme in connection with "Grow More Food" campaign.

***75. Maharaja SRISCHANDRA NANDY, of Cossimbazar:** Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*a*) the number of Irrigation schemes approved by Sir William Stampe and for which the Government of India have sanctioned a 50 per cent. contribution in connection with the "Grow More Food" campaign; and

(*b*) the full particulars in connection with these schemes, *e.g.*, sites, expenses incurred, both capital and recurring, out of the Provincial revenues and the contribution of the Government of India?

Mr. ATUL CHANDRA KUMAR (on behalf of the Hon'ble Mr. Barada Prosanna Pain): (*a*) Seventeen so far.

(*b*) A statement furnishing the particulars is laid on the Table.

Statement referred to in reply to (b) of starred question No. 75.

Emergency Irrigation Schemes in furtherance of the Food Production Drive approved by Sir William Stampe, the Irrigation Adviser to the Government of India, for the execution of which the Government of India have sanctioned 50 per cent. of their estimated cost.

Name of schemes.	Estimated cost.	Probable expenditure during 1943-44.	Probable expenditure during 1944-45.
	Rs.	Rs.	Rs.
1. Improvement of the Gomani Mardan *Bil*, police-station Hathazari, Chittagong.	24,888	10,000	15,000
2. Barabil Drainage Scheme in the district of Murshidabad.*	18,081	..	..
3. Khuramari *Bil* Drainage Scheme in the district of Murshidabad.	19,921	4,000	16,000
4. Excavation of a drainage channel from Auliapur *Bada* to the Peali river in the district of 24-Parganas.	1,57,114	70,000	90,000
5. Constructing marginal embankment and repairing the old *bund* along the Nowee Khal in Chandpur Union in the district of 24-Parganas.	3,500	3,500	..
6. Re-excavation of the Durgapur Babla Khal in the district of Bakarganj.	26,343	8,000	18,000
7. Silt clearance of the Brahmandia Khal, police-station Babuganj, in the district of Bakarganj.	14,164	5,000	9,000

*The work has been completed as a test relief work. Information regarding the actual expenditure incurred is not readily available.

Name of schemes.	Estimated cost.	Probable expenditure during 1943-44.	Probable expenditure during 1944-45.
	Rs.	Rs.	Rs.
8. Re-excavation of the Kharia river in police-station Phulpur in the district of Mymensingh.	30,731	9,000	22,000
9. Re-excavation of the silted up portion of the Bholbhola Khal, police-station Feni, district Noakhali.	4,596	2,000	2,600
10. Kachikata *Bil* Scheme, police-station Monohardi, district Dacca.	15,500	4,000	12,000
11. Silt clearance of the Kharaikhali Khal in the villages of Kharaikhali and Gazalia, district Khulna.	19,863	6,000	14,000
12. Re-excavation of the Basail Khal, police-station Gournadi, district Bakarganj.	65,052	12,000	53,000
13. Constructing a low earthen *bund* round Dhopa *Bil* in *mauzas* Karara and Nazirmunshi in the district of Mymensingh.	22,791	7,000	15,800
14. Excavation of a channel for draining the Takipore *mauza* in the district of Khulna.	3,164	1,000	2,200
15. Chalinda-Gazna Project, police-station Bongaon, district Jessore.	28,000	12,000	16,000
16. Scheme for draining the Sita Bita *Bil* in Chuadanga subdivision in the district of Nadia.	57,833	38,000	20,000
17. Scheme for the improvement of the Chirolia Panchuha *Bil* in Jaypurhat thana, district Bogra.	61,354	10,000	51,000

N.B.—The Government of India have agreed to bear 50 per cent. of the cost of each scheme. No recurring expenditure has yet been incurred.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell the House if Government have issued instructions to District Magistrates for sending up more schemes for approval?

Mr. ATUL CHANDRA KUMAR: District Boards have been asked to submit some more schemes.

Mr. PRAMATHA RANJAN THAKUR: Will the Hon'ble Minister be pleased to say whether the Balugram-Tentulia canal in Gopalganj subdivision of the Faridpur district has also been taken up for re-excavation along with the other schemes because rumour is afloat that the canal is going to be re-excavated at Government expense?

Mr. ATUL CHANDRA KUMAR: I submit that this question does not arise.

Mr. PRAMATHA RANJAN THAKUR: I did not hear the answer.

Mr. SPEAKER: Mr. Thakur, you are speaking on a particular canal which perhaps does not come within the purview of this question.

Mr. PRAMATHA RANJAN THAKUR: It comes, Sir, because the rumour is that this canal is going to be re-excavated and everybody knows it in the locality.

Mr. SPEAKER: We are not concerned with rumours.

Mr. PRAMATHA RANJAN THAKUR: I want to know whether it is true or not.

Khan Bahadur Haji BADI AHMED CHOUDHURY: মাননীয় মন্ত্রী মহোদয় অনুগ্রহ করে জানাইবেন কি যে গোমাইমর্দ্দন খালের জন্য যে ২৫ হাজার টাকা ধার্য্য করা হয়েছে সেই টাকা যথেষ্ট পাইলে বাকী টাকা গভর্ণমেণ্ট দেবেন কি ?

Mr. ATUL CHANDRA KUMAR: I am sorry I could not follow the question.

Khan Bahadur Haji BADI AHMED CHOUDHURY: মাননীয় মন্ত্রী মহোদয় অনুগ্রহ করে জানাবেন কি যে গোমাইমর্দ্দন খালের জন্য যে টাকা ধার্য্য হয়েছে তা যথেষ্ট না হলে অবশিষ্ট টাকা গভর্ণমেণ্ট দেবেন কি ?

Mr. ATUL CHANDRA KUMAR: গভর্ণমেণ্ট বিবেচনা করবেন।

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether there is any possibility of adding more schemes to the list?

Mr. ATUL CHANDRA KUMAR: Yes.

Held over questions.

(After the starred question No. 73 was called and before the answer was read.)

Point of order.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. This is a question in regard to which both myself and the Leader of our party made a submission that the Hon'ble Minister in charge of the Department might be pleased to give his answer. It is an important question relating to the life and property of a very large number of people. We do not ordinarily object to Parliamentary Secretaries dealing with questions but here in view of the very great importance of the question, will the Hon'ble Minister be pleased to treat the Assembly with a little greater respect?

Khan Bahadur MOHAMMED ALI: How does the question of respect arise here?

Mr. SPEAKER: He has raised it as a point of order, and I have got to give a ruling. Under the rules any member to whom any function of the

Minister is delegated is competent to discharge that function. I understand that the function of answering questions has been delegated by the Minister in charge to the Parliamentary Secretary.

Dr. NALINAKSHA SANYAL: Have you received any copy of that delegation? Let us know the position.

Mr. SPEAKER: That of course is a very pertinent question.

(Mr. Atul Chandra Kumar showed a document to Mr. Speaker.)

I find that there is a delegation. In view of that delegation I cannot compel the Minister in charge to answer any question which he likes the Parliamentary Secretary to answer. I regret, therefore, that if the Minister has delegated the function and if the Parliamentary Secretary rises to answer questions I cannot ask the Minister in charge to answer them.

Breaches in the left embankment of river Damodar.

*73. **Mr. ADWAITA KUMAR MAJI:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state—

(*i*) the causes of breaches in the left embankment of the Damodar river during last flood;

(*ii*) whether it is a fact that the report of apprehension of breach near Amirpur was made to the Subdivisional Officer (Irrigation, Damodar Embankment) on the 16th July last;

(*iii*) if so, what steps were taken by him in the matter;

(*iv*) after how many hours of the information the breach was opened;

(*v*) when the breach was last opened in that area; and

(*vi*) whether Government are considering the desirability of giving effect to the scheme drawn up for the purpose to stop the havoc in future?

(*b*) If the answer to (*a*) (*vi*) is in the affirmative, will the Hon'ble Minister be pleased to state what scheme has been so formulated?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) whether there is a Damodar Embankment Committee; and

(*ii*) if so, what is their function?

(*d*) Will the Hon'ble Minister be pleased to state the amount given annually by the Maharajadhiraj Bahadur of Burdwan for maintaining pool bunds or embankments in Damodar river?

Mr. ATUL CHANDRA KUMAR (on behalf of the Hon'ble Mr. Barada Prosanna Pain): (*a*)(*i*) The breach in the 26th mile of the Damodar left embankment was caused by an undetected *ghoge* which ultimately developed into a breach.

(*ii*) No.

(*iii*) and (*iv*) Do not arise.

(*v*) The breach occurred at 1 a.m. on the 17th July, 1943. There was no previous breach in the 26th mile.

(*vi*) and (*b*) In 1920 a reservoir scheme was prepared by a special officer with a view to controlling floods in the Damodar river. Government have appointed a Committee with the Maharajadhiraja Bahadur of Burdwan as Chairman to advise on permanent measures for controlling floods in the river and in particular to advise on the utility of the scheme prepared in the year 1920.

It has also been decided to remodel and strengthen the left embankment of the river and the work is now in progress.

Adequate flood precautionary measures will also be taken and arrangement will be made to provide patrolling staff on the embankment throughout 24 hours during the flood season every year.

(*c*) There is no Damodar Embankment Committee. There is, however, an Embankment Committee for the district of Burdwan.

The Committee is consulted in any of the following matters:—

I. Flood Embankments—

(*a*) New works, including as such sluices and escapes for existing embankments.

(*b*) Alterations in the alignment of existing embankments such as are caused by important retirements. This includes the discussion of the policy of holding a threatened bank by protective works in preference to the retirement of the embankment.

(*c*) Proposals for raising the level of the crest of an embankment.

(*d*) All questions in which there is any doubt as to the interpretation to be given to the provisions of the Bengal Embankment Act, 1882, or of contracts for the maintenance of embankments.

II. Any proposal which may be suggested for a minor irrigation work.

III. Any scheme which may be proposed for improvement in drainage.

IV. Questions relating to waterways or railroads in the Burdwan district.

V. Any matter referred by Government for opinion.

(*d*) The amount of contribution payable by the Burdwan Raj for the maintenance of the Damodar embankments only cannot separately be given; the Raj, however, pays a sum of Rs.52,376-4-10 for the maintenance of embankments on the Ajoy, the Damodar, the Darakeswar and the Selye rivers, etc.

Dr. NALINAKSHA SANYAL: With reference to answer (*a*)(*i*), namely, that the breach in the 26th mile of the Damodar left embankment was caused by an undetected *ghoge*, will the Hon'ble Minister be pleased to state if this was an unexpected event or it was apprehended and several Chief Engineers did before give warnings of such a disaster likely to follow?

Mr. ATUL CHANDRA KUMAR: The *ghoge* was unexpected.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that as early as 1928 Mr. Adams-Williams, the then Chief Engineer, did, in a note submitted to the Government, draw attention to the possibility of the embankment being breached near about the same turning, not at the exact point but somewhere near about and he did raise a warning that there might be a disaster in future?

Mr. ATUL CHANDRA KUMAR: Not exactly at the point or near about, but he submitted a note that there was a danger that might follow in future.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what steps were taken to see that *ghoges* did not remain undetected and disaster following undetected *ghoges* might not follow?

Mr. ATUL CHANDRA KUMAR: Mr. Adams-Williams, whom my honourable friend has referred to, said that it was not possible to detect *ghoges* at all times.

Dr. NALINAKSHA SANYAL: Is it a fact that the Government of Bengal had during recent years reduced the number of persons who were formerly entrusted to look after the embankments and detect *ghoges*?

Mr. ATUL CHANDRA KUMAR: No, Sir.

Dr. NALINAKSHA SANYAL: Is it a fact that the Chief Engineer, Irrigation Department, had submitted a note and wanted more number of men to enable him to watch the embankment which was turned down by the Finance Department?

Mr. ATUL CHANDRA KUMAR: Workmen necessary for this purpose were maintained by the Government.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether the Chief Engineer apprehensive of such a disaster applied to the Finance Department for increasing the number of persons entrusted to protect or watch the embankment and whether that proposal was turned down by the Finance Department?

Mr. ATUL CHANDRA KUMAR: If notice is given, Government will see to it.

Dr. NALINAKSHA SANYAL: With regard to answer (*a*)(*ii*), where it is stated "No", will the Hon'ble Minister be pleased to state whether it is a fact that the Subdivisional Officer of Idilpur was so informed on the 16th July but he thought that the spot in question was outside his jurisdiction, being within the jurisdiction of the Subdivisional Officer of Chachail and therefore no action was taken?

Mr. ATUL CHANDRA KUMAR: No, Sir.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state how many Subdivisional Officers are there in charge of the embankments between Burdwan and Jamalpur?

Mr. ATUL CHANDRA KUMAR: So far as I know, there are more than one Subdivisional Officer. But so far as the breach in the 26th mile is concerned, that is, the point that is referred to in the question, I think there is at least one Subdivisional Officer in charge.

Dr. NALINAKSHA SANYAL: Sir, my question is specific. The question originally was whether the Subdivisional Officer (Irrigation, Damodar Embankment) was intimated of the apprehension earlier, and the answer is, no. My further information being that one Subdivisional Officer was so informed who, however, thought that it was not within his jurisdiction and therefore took no action, I now ask whether the Subdivisional Officer, Idilpur, was so informed, but that Subdivisional Officer thought that the spot in question was outside his jurisdiction, being within the jurisdiction of the Subdivisional Officer of Chachail, and that therefore he did not take any action.

Mr. ATUL CHANDRA KUMAR: No.

Dr. NALINAKSHA SANYAL: With regard to answer (*a*)(*v*), namely, that there was no previous breach in the 26th mile, although the question was whether there was any breach in that area, will the Hon'ble Minister be pleased to state what was the nearest point to the present point of breach which was previously breached, and what is its distance from the present point?

Mr. SPEAKER: I think that question does not arise.

Dr. NALINAKSHA SANYAL: Is it a fact that in the year 1935 there were breaches near Manikhati, and at that point Mr. R. Gupta, the then,——

Mr. SPEAKER: Just put the first part of the question first.

Dr. NALINAKSHA SANYAL: All right, Sir. What is the distance of Manikhati from Ahmadpur?

Mr. ATUL CHANDRA KUMAR: I submit it does not arise.

Dr. NALINAKSHA SANYAL: Sir, the question is as to when the breach was last opened in that area. The answer is that there was no previous breach in the 26th mile.

Mr. SPEAKER: But as far as I can see it refers to only one breach; look at the expression "the breach."

Dr. NALINAKSHA SANYAL: All right, Sir. Will the Hon'ble Minister be pleased to state when was there a previous breach and where?

Mr. ATUL CHANDRA KUMAR: There were several breaches at several places and if notice is given a statement will be furnished.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state when was there the previous breach and where?

Mr. ATUL CHANDRA KUMAR: There was no previous breach at Ammpur in the 26th mile—I have already said that.

Dr. NALINAKSHA SANYAL: Is it a fact that there was a breach between Manikhati and Palla?

Mr. ATUL CHANDRA KUMAR: I submit this question does not arise out of the question.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister in a position to deny that within 3 miles of the place there was a breach?

Mr. SPEAKER: Are you prepared to answer it, Mr. Kumar?

Mr. ATUL CHANDRA KUMAR: During the last flood there was one and only one breach at Amirpur.

Dr. NALINAKSHA SANYAL: However, as the member in charge is not in a position to answer it, I will not press it——

Mr. ATUL CHANDRA KUMAR: I am prepared to answer all the relevant questions.

Dr. NALINAKSHA SANYAL: With reference to answer (*a*)(*vi*) and (*b*) that in 1920 a reservoir scheme was prepared by a special officer, will the Hon'ble Minister be pleased to state whether there were any other schemes than the one in 1920 referred to and whether any other officer made any enquiry or any recommendations?

Mr. SPEAKER: Dr. Sanyal, will you kindly look to the question a little more carefully? It does not say "schemes", but it only says "scheme" —it is in the singular.

Dr. NALINAKSHA SANYAL: Was there any other scheme prepared —I am not asking for the reservoir scheme of 1920?

Mr. ATUL CHANDRA KUMAR: Yes, a reservoir scheme was prepared in 1920.

Mr. SPEAKER: Was there any other scheme?

Mr. ATUL CHANDRA KUMAR: There is no other scheme. If the honourable member is anxious to learn more things about this I may refer him to a book which is available and from which he may learn many things. The name of the book is "Damodar Flood Control Project"—Volume IV.

Dr. NALINAKSHA SANYAL: With reference to the selection from the records of the Bengal Government relating to the "Damodar Flood Control Project"—Volume IV, which I have carefully read, will the Hon'ble Minister be pleased to state if it is a fact that in that book itself there are at least four remedies suggested——

Mr. SPEAKER: That may be, but how does it arise out of this question?

Dr. NALINAKSHA SANYAL: The question was whether Government had any scheme. What was the scheme recommended by Mr. Adams-Williams?

Mr. ATUL CHANDRA KUMAR: No scheme was recommended by Mr. Adams-Williams, but as I do not want to evade the answer, I may say that Mr. Glass recommended a scheme and Mr. Adams-Williams, the then Chief Engineer, approved some of the recommendations as regards the construction of some dams.

Dr. NALINAKSHA SANYAL: Is it not a fact that Mr. Adams-Williams suggested the reservoir scheme and it is not Mr. Glass who recommended the scheme? I ask the Hon'ble Minister to read it carefully.

Mr. SPEAKER: Dr. Sanyal, I want to bring one fact to your notice. The whole trouble has arisen out of the question. The question is a specific one. It says whether Government are considering the desirability of giving effect to "the scheme" drawn up for the purpose to stop the havoc in future. It refers to one scheme only. In fact, this scheme ought to have been more clearly stated in the question itself. It has not been so stated. So, Government has stated that there is only one reservoir scheme. I have allowed you to put the question whether there have been other schemes and the answer has been "No". I do not think any more question arises out of that.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that Mr. Adams-Williams, the then Chief Engineer, recommended to Government the adoption of (*a*) controlled escapements on the left bank to resuscitate the old beds of rivers Behula, Bakanala, Bakulia, etc.; (*b*) dredging the mouth of the Damodar at Hurhura and Bakshi; and (*c*) strengthening of the embankment?

Mr. SPEAKER: You are giving details of the scheme.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether Mr. Adams-Williams, the then Chief Engineer, recommended to the Government the following measures or not——

Mr. SPEAKER: You are an expert in questioning but why are you bringing in so many things in one question?

Dr. NALINAKSHA SANYAL: Because you are not allowing me to put my question in the form I did as the word "scheme" is there. I say whether Mr. Adams-Williams recommended the following measures, namely, having some controlled escapements, dredging the Damodar at Hurhura and Bakshi and strengthening the embankment.

Mr. ATUL CHANDRA KUMAR: For this information, the honourable member should not waste the time of the House.

Mr. SPEAKER: That is another matter.

Mr. ATUL CHANDRA KUMAR: He can look into this book and he will get this information.

Mr. SASANKA SEKHAR SANYAL: On a point of order, Sir. It is sometimes interesting to see a baby Parliamentary Secretary answering questions properly, but do you allow a Parliamentary Secretary while answering questions to flourish books and to refer the matter to the member?

Mr. SPEAKER: It is not a question of flourishing books. A Parliamentary Secretary or, as a matter of that, a Minister can certainly refer any member to any book or any publication of Government.

Mr. SASANKA SEKHAR SANYAL: He can mention the book, but is it proper and dignified to flourish a book?

Mr. ATUL KRISHNA GHOSE: On a point of order. Sir কোন Parliamentary Secretary র এ অধিকার আছে কি না যে কোন মেম্বারের প্রশ্নের উত্তর দেবার সময় তাঁরা একথা বলবেন যে "কোন মেম্বার wasting time."

Mr. SPEAKER: That I have already said.

Dr. NALINAKSHA SANYAL: With reference to the recommendations contained in that book flourished by the Parliamentary Secretary, will the Hon'ble Minister be pleased to state what or which out of those recommendations of Mr. Adams-Williams have been adopted and given effect to by the Government so far and what have not been given effect to?

Mr. SPEAKER: That is too vague a question.

Dr. NALINAKSHA SANYAL: My question is what action has been taken by the Government of Bengal so far on the recommendations of Mr. Adams-Williams to prevent havoc in future as mentioned in answer (*a*)(*vi*)?

Mr. SPEAKER: You mean to say what action has been taken in accordance with the recommendations in the book mentioned by the Parliamentary Secretary?

Dr. NALINAKSHA SANYAL: Yes, Sir.

Mr. SPEAKER: Mr. Kumar, are you prepared to answer?

Mr. ATUL CHANDRA KUMAR: Government have appointed a Committee with the Maharajadhiraja Bahadur of Burdwan as Chairman to investigate into the matter.

Dr. NALINAKSHA SANYAL: Between 1920 when the recommendation was made and 1944 when the Committee has been functioning what action has been taken during these 24 years?

Mr. SPEAKER: You want to know what action has been taken during these 24 years?

Dr. NALINAKSHA SANYAL: Yes, Sir, that is the recommendation. My honourable friend has only referred to a Committee sitting. I said about the recommendations of the then Chief Engineer Mr. Adams-Williams and wanted to know what action Government have taken with regard to those recommendations during the last 24 years?

Mr. SPEAKER: Are you prepared to say anything, Mr. Kumar?

Mr. ATUL CHANDRA KUMAR: No, Sir.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the dredging of the mouth of Damodar at Hoorhura and Bakshi was undertaken by the dredger "Cowley" as a result of the recommendation?

Mr. SPEAKER: That is going too much into details.

Dr. NALINAKSHA SANYAL: Sir, I would not have traversed 24 years unless Government came with an answer covering this period.

Mr. SPEAKER: I think, Dr. Sanyal, it is not fair to ask for information about action taken during the long 24 years in a supplementary question.

Dr. NALINAKSHA SANYAL: All right, Sir. Will the Hon'ble Minister be pleased to state if it is a fact that Government took no action to protect the embankment in the manner suggested or to provide control escapements on the left bank?

Mr. ATUL CHANDRA KUMAR: I know that the Hon'ble Minister in charge of this Department has taken action and the Committee is functioning, visiting places and thinking of construction of dams as suggested by Adams-Williams in his book.

Dr. NALINAKSHA SANYAL: With reference to this Committee mentioned, will the Hon'ble Minister in charge be pleased to state whether this Committee has under consideration for immediate execution any remedial measure to stop flooding in the coming season?

Mr. ATUL CHANDRA KUMAR: Sir, the Committee has not yet submitted its report and it is confidential. Government is not in a position to know what the Committee is going to do or not to do.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that this Committee has nothing to do with immediate measures?

Mr. SPEAKER: You mean to say that the order of reference has not given any authority to this Committee. Is that your question?

Dr. NALINAKSHA SANYAL: Yes, Sir.

Mr. ATUL CHANDRA KUMAR: This Committee is dealing about long term measures.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that there is another Committee called Technical Committee appointed by the Government of India which is examining immediate remedial measures?

Mr. FAZLUR RAHMAN: Sir, I do not understand how this question forms a supplementary question although this may form a separate question.

Mr. SPEAKER: Are you prepared to answer, Mr. Kumar?

Mr. ATUL CHANDRA KUMAR: No, Sir.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government is aware——

Mr. FAZLUR RAHMAN: On a point of order, Sir. I only like to know from you, Sir, whether this forms really a supplementary question. It is not a question of whether the Parliamentary Secretary is prepared to answer it or not. The question is whether the wording of the question by Dr. Sanyal or information supplied by him to the House can be the subject-matter of supplementary questions.

Mr. SPEAKER: As soon as a supplementary question is put you may rise and say "I object," but if you raise any objection after I have allowed a question I cannot give any decision. Dr. Sanyal, I want to tell you one thing that you are asking questions relating to what steps Government have taken or are considering it desirable to take in preventing flood or a similar havoc. As far as I have been able to see, the question is somewhat of a limited character. It relates to one flood, that is, the last flood and it refers to one scheme. (Dr. NALINAKSHA SANYAL: The question does not relate to one scheme.) I have allowed you to put many questions as to whether Government are considering the desirability of giving effect to this scheme. (Dr. NALINAKSHA SANYAL: This scheme does not refer to Glass Scheme, it refers to Adams-Williams Scheme and that is why I am putting a question as to whether there is any other scheme.) It may be Adams-Williams' scheme or any other scheme. The question does not give any indication whatsoever as to what was meant by this scheme. Government have thought fit to state that there was one reservoir scheme and prepared by some Special Officer in 1920. As I have already said the question was a little vague. In fact, it ought to have been made clearer by the Department itself. It appears to me that it escaped the notice of the Legislative Assembly Department itself; otherwise this part could have been disallowed. After this to put supplementary questions of a different nature and so many supplementary questions is hardly permissible. I have allowed you, Dr. Sanyal, to put questions of this nature, but if you want any more information, it will be better for you to put another question.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if at the present moment there is any project for escapement being provided on the right bank of the river?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: The question is with regard to adequate flood precautionary measures. I want to know about the protective measures which are one of the projects which Government is now considering.

Mr. SPEAKER: I advise you to put another question on this point.

Dr. NALINAKSHA SANYAL: I submit, Sir, that the matter is very grave. The other question may depend on the sweet will of the Minister in charge to give his consent or not. Therefore, I have got to take the earliest opportunity.

Mr. SPEAKER: Put your question and you will get the answer in the course of the session.

Dr. NALINAKSHA SANYAL: "In the course of the session"—it will not do. If it is not answered promptly the mischief is done and in one week's time hundreds of thousands of people will die.

Mr. SPEAKER: Come up to the Assembly in some other form.

Dr. NALINAKSHA SANYAL: Then I shall have to move an adjournment motion tomorrow.

Mr. SPEAKER: If you are so advised you are at liberty to do that.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state how many committees are at present engaged in examining remedial measures?

Mr. FAZLUR RAHMAN: The House has already devoted more than half an hour to this one question.

Mr. SPEAKER: There is only one Committee, viz., Embankment Committee. There is no Damodar Embankment Committee. I therefore disallow that question.

Dr. NALINAKSHA SANYAL: In answer (*b*) it is said that Government have appointed a committee with the Maharajadhiraja Bahadur of Burdwan as Chairman. My question now is how many committees are at present engaged in examining the remedial measures?

Mr. SPEAKER: I have already disallowed that question.

Dr. NALINAKSHA SANYAL: Under what rules?

Mr. SPEAKER: That is my ruling.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the relationship between the Maharajadhiraja Bahadur of Burdwan Committee and the Russell Committee or the Technical Committee appointed by the Government of India?

Mr. SPEAKER: He has said that he is not aware of any such committee.

Dr. NALINAKSHA SANYAL: Has it been recorded? Let it be recorded then.

Mr. ATUL CHANDRA KUMAR: I said "I am not prepared to answer that question".

Dr. NALINAKSHA SANYAL: It is not a question of his sweet will. I want to know whether Government——

(At this stage the next question was called.)

Sir, I am on my legs.

Mr. SPEAKER: That does not matter.

Dr. NALINAKSHA SANYAL: I have my rights. It may be that my questions have been tiresome. But, Sir, you have been trying to protect one side,

Mr. SPEAKER: No question of protection of one side arises. In fact I consider this question to be of some importance and that is why I have allowed you to put so many questions in so many different forms—questions which I think I would have otherwise disallowed if I had not attached some importance to the subject. Still you persisted. I advised you to come with a comprehensive question and you said that you would bring in an adjournment motion. If you are so advised you may bring it if you like. But at last you said that I had been protecting some side. This is highly objectionable. It is a direct reflection on the Chair. I hope that the House will agree with me when I say that you should at once withdraw that remark.

Dr. NALINAKSHA SANYAL: With all due respect to the Chair which I hold in Parliamentary life in very high esteem, I submit that the Chair has got certain specific functions to perform and he has to perform those functions within the rules of the Assembly. I have already submitted to you previously when you disallowed one of my questions under what provision of the rules you did so. You, Sir, for reasons best known to yourself said that you were not prepared to give your reasons.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, he is aggravating the offence.

Mr. SPEAKER: Mr. Goswami, I have asked Dr. Sanyal to withdraw a certain remark made against the Speaker. It is not against me personally; it is against the Speaker. He is making his submission with regard to my order asking him to withdraw that statement. It is desirable that he should be allowed to speak out his mind. There ought not to be any interruption.

Dr. NALINAKSHA SANYAL: Sir, before I made that observation, I had very carefully and coolly submitted to you whether you were prepared to quote any rules under which you were disallowing one of my questions because in my own humble reading even the Speaker has to act according to certain rules of procedure laid down by this House. If the Speaker oversteps those limits, it is the privilege of this House that is infringed and it is for the House then to examine whether the Speaker is exceeding his limits. If I have in that connection done any offence I am prepared to withdraw. I submit to you that it was not my intention to give you any offence personally and I again submit that as soon as you disallowed a question of mine though it was in my humble opinion and esteem within the rules, I did not repeat the question. I bowed to your ruling. Again I submit that if you think that you were not really protecting anybody against myself, I am prepared to withdraw it. I leave it entirely to you.

Mr. FAZLUR RAHMAN: Sir, a dangerous principle has been introduced by Dr. Sanyal whom you have allowed to speak in personal explanation. He has enunciated that your ruling can be questioned, that you can be

compelled to refer to rules, and that in the course of conducting the proceedings of this House, if you give a ruling, that ruling can be disobeyed by a member. That is a very dangerous principle. On the other hand, I hold that if the Speaker oversteps his powers as my friend Dr. Sanyal has put it in that case the proper course is only to bring in a no-confidence motion and discuss the conduct of the Speaker. In no other way is it open to this House or to any member to say that the decision of the Speaker can be questioned.

Mr. SPEAKER: I must say at the outset that it is perhaps well-known to every honourable member of this House, not excluding Dr. Sanyal, that for the conduct of business of this House, it is essential that the Speaker's rulings even if wrong should be obeyed.

Dr. NALINAKSHA SANYAL: Sir, I did obey.

Mr. SPEAKER: If any member feels aggrieved by any decision of mine —and after all the Speaker is also a human being and liable to err—I think that the best course for that honourable member would be to see me in my Chamber and discuss with me that question. If still he feels dissatisfied then it would be better for him to take other steps that he may be advised to take. But if in the course of the deliberations of this House the Speaker's rulings are challenged and discussions go on on the rulings of the Speaker, the conduct of business by this House will become simply impossible. I would therefore ask Dr. Sanyal to withdraw his remarks and I hope he will withdraw his remarks unconditionally.

Dr. NALINAKSHA SANYAL: I accept your statement that you did not seek to protect anybody and I therefore withdraw my remarks.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: It is not an unconditional withdrawal.

Mr. SPEAKER: Dr. Sanyal has accepted my statement that I did not seek to protect anybody and he has withdrawn. I think he ought not to have even suspected that I have tried to protect anybody in this House. Whatever that may be, I think at the same time that for the future it would be best if any member feels aggrieved, kindly not to challenge my ruling in the House, but kindly to see me in my Chamber. There if I can convince him then it is all right, and if I fail to convince him he may take whatever steps he may be advised to take. That course would be conducive to the smooth working of this House.

Restriction on calling "Azan" loudly by Muslim students of Pabna Edward College.

***73A** (SHORT NOTICE). **Khan Bahadur ABDUL WAHAB KHAN:** (*a*) With reference to the reply given to the starred question No. 11, on 1st February, 1944, will the Hon'ble Minister in charge of the Education Department be pleased to state the reasons for approving the arrangement arrived

at by the Governing Body of the Edward College, Pabna, that the Muslim students will be allowed to say their prayers in one of the rooms of the hostel, provided the *Azan* is not called loudly?

(*b*) Is the Hon'ble Minister aware of the fact that the *Azan* is enjoined by the Laws of Shariat to be called loudly in order to attract the intending Muslim devotees to the five compulsory prayers of Islam?

(*c*) If the answer to (*b*) is in the affirmative, is the Hon'ble Minister considering the desirability of allowing the Muslim students in the said college hostel to say their prayer without any restriction on *Azan*?

(*d*) Is it a fact that—

(*i*) a room in the said Edward College building was at first set apart as a prayer room for Muslim students; and

(*ii*) by a subsequent order of the Principal, the said prayer room in the College building was closed and the Muslim boys were allowed to say their prayers in a room of the College Hostel?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) The reply to the effect that Government approved of the arrangement in question was inaccurate. This is very much regretted. No such approval was given.

(*b*) and (*d*) Yes.

(*c*) Yes, Government consider it desirable that the Muslim students of the Hostel should be allowed to say their prayers without any restriction on *Azan*

Mr. AZHAR ALI: Will the Hon'ble Minister be pleased to state whether the Assistant Director of Public Instruction for Muhammadan Education had been to Pabna and had held a conference with the Principal, the Professors and students?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir.

Mr. AZHAR ALI: What was the decision arrived at in that conference?

The Hon'ble Mr. TAMIZUDDIN KHAN: No final decision was taken there.

Mr. AZHAR ALI: Will the Hon'ble Minister be pleased to tell us whether the terms of compromise were forced upon the students or whether the students themselves agreed to them?

The Hon'ble Mr. TAMIZUDDIN KHAN: There was some sort of an agreement but that agreement was not adhered to later on.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state what was that agreement?

The Hon'ble Mr. TAMIZUDDIN KHAN: The agreement was that the Muslim students should be allowed to say their prayers in the Muslim hostel.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state what were the difficulties to stick to that agreement?

The Hon'ble Mr. TAMIZUDDIN KHAN: Students of other communities raised objections later on.

Mr. ATUL KRISHNA GHOSE: What was the nature of that objection?

The Hon'ble Mr. TAMIZUDDIN KHAN: The objection was that they should not be allowed to say their prayers with a loud call of *Azan*.

Mr. ATUL KRISHNA GHOSE: Did the Hon'ble Minister see the Hindu students personally and hear them?

The Hon'ble Mr. TAMIZUDDIN KHAN: No.

Mr. ATUL KRISHNA GHOSE: Wherefrom did the report come?

The Hon'ble Mr. TAMIZUDDIN KHAN: From the Assistant Director of Public Instruction for Muhammadan Education.

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister prepared to lay a copy of the report on the Table?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not prepared to do that.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to verify whether that report is correct or not?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am sure that the report is correct.

Khan Bahadur ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state the reason for the imposition of a restriction on the calling of *Azan* for saying prayer?

The Hon'ble Mr. TAMIZUDDIN KHAN: I think there was a misunderstanding. Actually the students were not being allowed to say their prayers with a loud call of *Azan*.

Khan Bahadur ABDUL WAHAB KHAN: Am I to understand that that restriction has since been removed?

The Hon'ble Mr. TAMIZUDDIN KHAN: I have again called for a report but I do not know whether the restriction has been removed.

Khan Bahadur ABDUL WAHAB KHAN: Will the Hon'ble Minister consider the desirability of having the restriction removed or otherwise take drastic steps against the institution itself?

The Hon'ble Mr. TAMIZUDDIN KHAN: It is not within the power of the Government to remove the restriction or to impose any such restriction. The restriction was imposed by the college authorities. We can do nothing except perhaps withdrawing the grant that the college has been receiving from Government. But that is a question which will have to be considered later on after I have received an answer to the query that I have made.

Babu ASHUTOSH LAHIRI: Has any arrangement been made for the saying of prayers by Hindu students in the college building?

The Hon'ble Mr. TAMIZUDDIN KHAN: As far as I know there has been no such demand.

Babu ASHUTOSH LAHIRI: Is it not a fact that originally the trouble arose because of the fact that the Hindu students wanted to say their prayers?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not aware of that.

Mr. A. M. ABDUL HAMID: Is it not a fact that the Hindu students only came forward with such a demand when the Muslim students wanted to have a prayer room?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not aware of any such demand from the Hindu students.

Babu ASHUTOSH LAHIRI: Is the Hon'ble Minister aware that the Hindu students went with *Kirtan* on a Sunday for saying their prayers but they were not allowed to do so because there was an objection from the Muslim students?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not aware of that, but all that I am aware of is that the Muslim students were allowed to say their prayers and were saying their prayers when the Hindu students disturbed their prayers.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister kindly refer to the question of withdrawal of grant and say whether he has suggested that as a measure of enforcement of that order or as a penalty?

Mr. SPEAKER: That has been suggested as a matter of contingency because that was the only step that could be taken by Government.

Mr. SASANKA SEKHAR SANYAL: Will the withdrawal of grant be considered as a measure of penalty?

The Hon'ble Mr. TAMIZUDDIN KHAN: The question of withdrawal of grant is not yet under the consideration of Government.

Rai HARENDRA NATH CHAUDHURI: How did the question of restriction on the loud call of *Azan* arise?

The Hon'ble Mr. TAMIZUDDIN KHAN: Because that was objected to by the Hindu students of the college.

Rai HARENDRA NATH CHAUDHURI: I want to know on what grounds the students of other communities opposed the loud call of *Azan*? I want a definite reply on that point.

The Hon'ble Mr. TAMIZUDDIN KHAN: My friend wants definite information but this is a matter which can well be replied to only by the Hindu students. No one else can say what motive the Hindu students had in their mind.

Mr. SPEAKER: The point is whether you, Mr. Khan, are aware of the grounds on which the call of *Azan* was objected to. If you are not, you can simply say that.

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not aware, Sir.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to consider the desirability of enquiring into the grounds on which the Hindu students objected to the loud call of *Azan*?

The Hon'ble Mr. TAMIZUDDIN KHAN: I do not think I should call for a report for that purpose at the present moment. The whole trouble might have subsided by now and without further looking into the question I do not think it is desirable to make a further enquiry.

Mr. ABDUR RAHMAN SIDDIQI: Is the Hon'ble Minister aware that Muslims pray five times a day and that their prayers are not a Sunday affair?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir.

Mr. ABDUR RAHMAN SIDDIQI: Is the Hon'ble Minister aware that as against the ringing of bells and blowing of conchshells it is an Islamic commandment to call Muslims to prayer loudly?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir.

Mr. ABDUR RAHMAN SIDDIQI: Is the Hon'ble Minister aware that any infringement of that right of the Muslims makes life absolutely impossible and intolerable?

Mr. SPEAKER: You are asking for opinion based on Shariat. I disallow it.

Mr. A. M. ABDUL HAMID: Is it not a fact that the Principal of the College did allot a room in the college building itself to Muslims for saying their prayers?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir.

Mr. SPEAKER: Questions over.

(At this stage the House was adjourned for fifteen minutes.)

(After adjournment.)

Point of Order.

Mr. A. F. STARK: On a point of order, Sir. I do not wish to question your ruling as to the admissibility of this motion but I would like to have your directions for the future wording of adjournment motions. In the past there have been a number of rulings that adjournment motions must be framed in the form of a motion of censure of Government for some act or omission. Yesterday I was unable to quote chapter and verse, so I could not speak on the point but I am now able to quote chapter and verse.

As early as the 13th August, 1937, a ruling was made by the then Speaker. In ruling a motion of adjournment out of order he stated, "You know that a motion of adjournment is in the nature of a censure motion. That is so by all parliamentary convention and it must be for an act of commission or omission on the part of Government."

Then again on the 1st April, 1938, the then Speaker stated in ruling a motion of adjournment out of order, "My difficulty is that an adjournment motion is a matter of censure on acts of omission and commission by a Government."

Well, all I want to know, Sir, is whether these rulings stand, in other words, whether in future motions of adjournment should be framed in the form of a motion of censure of Government for some act or omission.

Mr. SPEAKER: I feel that I am not called upon to give a reply or a ruling on this occasion because Mr. Stark has begun by saying that he is not going to challenge my ruling given yesterday, and on a hypothetical case like this no question of ruling can possibly arise. I take note of this and in future while giving my decision I will consider this aspect of the thing, and I hope Mr. Stark also will at that time remind me of this.

Khan Bahadur MOHAMMED ALI: Not only decision but your direction.

Mr. SPEAKER: You cannot have a direction on a hypothetical case.

Mr. SANTOSH KUMAR BASU: Is Khan Bahadur going to table an adjournment motion that he wants to know the direction?

Rai HARENDRA NATH CHAUDHURI: On a point of order. What is the aspect of the case that has been put forward by Mr. Stark which deserves consideration we from our point of view cannot understand because the two rulings that have been quoted by Mr. Stark are to this effect that an adjournment motion is in the nature of a censure.

Mr. SPEAKER: Mr. Rai Chaudhuri, all these things will again come up on a proper occasion and you will have an opportunity of giving your views on that occasion.

Adjournment motion.

Mr. SURENDRA NATH BISWAS: Mr. Speaker, Sir, I beg to move that the business of the Assembly do adjourn for the purpose of discussing a definite matter of urgent public importance and of recent occurrence, namely, the situation arising out of the decision recently arrived at by the Government of Bengal to encourage and advise the agriculturists to produce jute during the coming season in full eight annas of the basic acreage of 1940 to be sold at a maximum price to be fixed on the basis of Rs. 17 for Indian *jat* middles at Calcutta, the prices of other qualities or grades of raw jute being in parity with that price, while Bengal is in the grip of famine for want of sufficient food crop.

Sir, in this connection I should first quote some passages from the Press Note which contain the decision as referred to in my motion. Sir, in this

note it appears that the Government of Bengal committed to do something in expectation of getting something from the Government of India. These are the commitments—

(*a*) The Government of Bengal will issue orders for licensing of an acreage of eight annas of the basic acreage of 1940 and will advise and encourage the agriculturists to plant fully up to this acreage in their own interests.

(*b*) The Government of India will guarantee a minimum price of raw jute on the basis of Rs. 15 per maund of Indian *jat* middles at Calcutta—mark the words "Indian *jat* middles at Calcutta," not in the mofussal—other qualities or grades of raw jute to be in parity with this price.

(*c*) The Government of India will undertake to buy all crop offering, old and new up-country or at Calcutta in order to maintain prices at the above level at Calcutta and at parity levels up-country.

(*d*) A maximum price of raw jute will be fixed on the basis of Rs. 17 for Indian *jat* middles at Calcutta (other qualities or grades of raw jute to be in parity with this price) with the right of the Government of India to requisition on the basis of the maximum price. The Government of Bengal will assist in such requisitioning from middlemen if necessary.

Now, Sir, Bengal is now admittedly a deficit province and for want of sufficient food crop has fallen in the grip of famine and starvation. The duty of every individual and that of the State is to see that all available lands are put under cultivation for food crop. Had Bengal been an independent country, the State would certainly take that step. The wheat lands of England are certainly not being used for producing anything but wheat.

Now, Sir, I will come to the question of commitments of the Government of Bengal. The basic acreage of jute lands is 54 lakhs of acres. Set apart 4 lakhs as lands on which nothing but jute may be grown. In the remaining 50 lakhs of acres paddy can be grown. Let us see what happens if that is done. Fifty lakhs of acres mean 150 lakhs of bighas. Yield of paddy per bigha being taken at 8 maunds on an average, 150 lakhs of bighas can produce $150 \times 8 = 1,200$ lakhs of maunds of paddy out of which Bengal can get about 800 lakhs of maunds of rice, that is, eight crores of maunds of rice. Did the Ministry, I ask, Sir, point out this position to the Government of India? The Bengal Jute Advisory Committee in its meeting held in September last recommended the production of jute in those lands only on which nothing but jute can be grown. But that is not to be, because Bengal must be sacrificed at the alter of her Imperialist Master.

When the Almighty God has so ordained that Bengal must die of starvation and yet must produce jute for war purposes, let us see what are the estimated requirements of jute for war purposes during the year 1944-45. Including the consumption of jute for the production of 70 crores yards of hessian the total distribution of jute during the year 1943-44 has been

estimated by Mr. Hill, Secretary to the Department of Agriculture, at 77 lakhs of bales. But no exact figure has been given by Mr. Hill of the quantity of jute required for war purposes only. Seventy crores of yards of hessian weigh 4,270,000 maunds, that is, 854,000 bales. Adding to this another 20 per cent. we find that 1,070,000 bales are required to produce 70 crores of yards of hessian which the Indian Jute Mills Association have undertaken to produce for the United Kingdom and the United States of America. The Indian Jute Mills Association contend that they will not be able to supply the order of 70 crores of hessian before June, 1944. Admitting that a portion of that order has got to be supplied from the next year's crop and also admitting that a similar order will be placed next year—of course there is no knowing whether any such order would come or not; however admitting that a similar order will be placed next year, we may estimate the consumption of jute for supplying war orders out of the coming jute at 15 lakhs of bales. Let us also add another 15 lakhs of bales for consumption for war purposes. By no stretch of imagination, therefore, it can be said that the total consumption of jute by the Indian Mills for war purposes during the year 1944-45 will exceed 30 lakhs of bales. Now add to this domestic consumption of 5 lakhs of bales and again add to this the figure of export at our estimate of 10 lakhs of bales and we get 45 lakhs of bales. Now let us see what is the estimated figure of carry over as on 30th June, 1944. Mr. Hill estimates the figure at 36 lakhs of bales. Therefore, Sir, 9 lakhs of bales is required. Add to this as reserve for carry over for the year 1945-46 as on 30th June, 1945, another 18 lakhs of bales. Therefore only 27 lakhs of bales are required to be produced. Out of this 27 lakhs of bales, the provinces other than Bengal will produce about 15 lakhs of bales as they usually do every year.

Therefore, Bengal might be required to produce 12 lakhs of bales only especially in view of the economic distress prevailing in Bengal. To produce 12 lakhs of bales, i.e., 60 lakhs of maunds, Bengal would require to cultivate jute in 12 lakhs of bighas, that is, 4 lakhs of acres. If, therefore, Bengal would be asked to produce jute on those lands only on which nothing but jute can be grown, Bengal could supply the full requirements of jute for war purposes. While Bengal is in the grip of famine and is running short of food, while it is an admitted principle of economics that the price depends on the ratio of demand and supply, while it is also a fact that the price of rice in Bengal is raging high for short supply, Bengal should in all fairness and justice be allowed to produce food crop in as much land as possible and not to produce jute at the cost of her food. I ask, Sir, did the Ministry point out this position also to the Government of India? I am sure, not. On the other hand the Ministry of Bengal has betrayed the cause of Bengal in yielding at this time of life and death struggle to agree to produce jute in 27 lakhs of acres of land. Not only that, the Ministry has stabbed Bengal in giving an undertaking to advise and encourage the planting of jute in full eight annas of the total acreage. The Bengal Ministry has given an undertaking that they would launch propaganda so that the jute-growers produce jute in so many as 27 lakhs of acres. Will they permit us to carry on propaganda that no jute should

be grown and that production of paddy will be more remunerative than that of jute. (Cries of "Hear, hear" from the Opposition benches). Certainly not. You have yourself got bitter experience of such propaganda. Herein lies the distinction between the attitude of the last Ministry and that of the present Ministry. The House is aware that the last Ministry only agreed to the fixation of maximum quota, but at the same time the then Chief Minister made it clear that the jute-growers were at liberty to produce even one anna. Sir, the Bengal Ministry has done another mischief to the agriculturists of Bengal by agreeing to the fixation of price at Rs. 17 as the maximum and at Rs. 15 as the minimum for Indian *jat* middle at Calcutta. No guarantee of price has been given to the jute-grower to get a fair price. The maximum and minimum prices are for jute to be purchased in Calcutta and everybody knows, every representative of the cultivators present here knows, that the jute-growers do not sell their jute in Calcutta.

Now, let us examine the implications of the fixation of maximum and minimum prices at the rural market. Sir, for the Indian *jat* middle at Calcutta the maximum price is Rs. 17 and minimum Rs. 15. The mufassal price is always at least Rs. 2 lower than the Calcutta price. So I think that the mufassal price of Indian *jat* middle will be maximum Rs. 15 and minimum Rs. 13. District middle which is lower in price than the Indian *jat* may bring Rs. 14 and Rs. 12 respectively. Consequently *jat* bottom will get maximum Rs. 12 and minimum Rs. 10 and district bottom will get Rs. 11 maximum and Rs. 9 minimum. As regards rejection bottom, I have calculated it at Rs. 3 less, namely, Rs. 8 maximum and Rs. 6 minimum.

Honourable members who represent the jute-growers know how the jute-growers are treated in respect of their bottom quality of jute. Most of the bottom quality jute is treated as rejection bottom. We can imagine what low prices will be offered to the jute-grower for rejection bottom. The percentage of jute according to quality which is grown in Bengal is like this: Top not more than 5 per cent., Indian *jat* middle not more than 20 per cent., district middle about 25 per cent. and bottom 50 per cent. What will then the vast majority of the jute-growers get? Not more than Rs. 9 per maund, but in most of the cases less. In that case, will the production of jute be profitable or economical? Certainly not. Why not, I shall presently show. One bigha of land yields 8 maunds of paddy on an average; one bigha of land yields 5 maunds of jute on an average; 8 maunds of paddy may bring $8 \times 10 =$ Rs. 80; and 5 maunds of jute may bring $5 \times 9 =$ Rs. 45 and that also at a higher cost of cultivation than that of paddy. Did the Ministry consider this serious aspect of the case? The answer, Sir, will surely be—no.

Then, Sir, let us examine the prices again to show that the Government of India entered into an unholy agreement with the Indian Jute Mills Association to enable them to get a fabulous profit at the cost of jute-growers.

I shall for that purpose deal with some figures about the cost of production of hessian. Those figures I have got from the Senior Marketing Officer of the Central Jute Committee who was deputed by that Committee

to enquire into the cost of production of hessian at the prevailing prices of jute, which you know, Sir, are Rs. 19 for the top, Rs. 17 for the middle and Rs. 14 for the bottom. According to the calculations arrived at by Dr. Hosain, the Senior Marketing Officer of the Indian Jute Mills Associntion, which he based on the figures supplied to him by the members of the Indian Jute Mills Association, the total cost of production of one ton of hessian of 11 porters on the basis of Rs. 19 for one maund of hessian batch, i.e., for the quantity of jute required to produce one maund of hessian, comes to Rs. 782. The cost of production of 100 yards of such hessian which weigh 25 seers only, therefore, comes to Rs. 17-8 but the Mills will get Rs. 26 for that 100 yards of hessian. Rs. 26 has been fixed by the Mills as the contract price *ex*-Calcutta. Just imagine the net profit of about Rs. 9 per 100 yards of hessian. Now let us see what would be the cost of production of one ton of such hessian on the basis of Rs. 26 per maund of hessian batch, that is, on the basis of average price of raw jute at Rs. 20 per maund. The total cost, according to the same system of calculation, of one ton of such hessian would come to Rs. 978. Therefore, the cost of 100 yards of hessian which weigh 25 seers would be Rs. 21-10 and this would be sold at Rs. 26. Yet, a huge margin of profit of about Rs. 5 per 100 yards might be obtained by the Jute Mills. Should not the Jute Mills be satisfied with that profit? In all fairness they should but would not. Did the Ministry insist upon the fixation of the average minimum price of raw jute at Rs. 20 per maund on the basis I have just mentioned? I am sure the Ministry did not. The Ministry may, therefore, be said to have sacrificed Bengal and per peasantry at the alter of their greedy white friends.

Sir, the Almighty God gave England a chance to solve the world problems by giving her India, the jewel of all lands created by Him, India being the richest and most resourceful country in the whole world. But England did not avail of that chance. Owing to her greed and inefficiency she has already lost her world position and if she does not change per mind will lose India also. The Almighty God will no longer tolerate the rule of any greedy nation on earth. It is clear as daylight that the hand of Nemesis has fallen on the heads of all greedy nations who rule the earth today and the Almighty God is soon coming down on earth to establish His own kingdom. (Applause from the Opposition benches.)

Maulvi ABU HOSSAIN SARKAR: Sir, I support the adjournment motion moved by my friend Mr. Surendra Nath Biswas. By fixing the maximum price of jute middle—*jat* middle—at Rs. 17 and by fixing eight annas of the jute acreage for cultivation next jute season, Government have practically taken a most retrograde step. The province of Bengal is passing through a severe famine and already several lakhs of people died of hunger. Food therefore is the most essential thing that the cultivators should grow. The Government have nominally launched a "Grow More Food" campaign. But instead of taking to it very seriously at present we see that Government have practically taken to "Grow More Jute" campaign, so that several lakhs of more people may die in this province of hunger.

Now, Sir, let us see what justification Government have for taking this retrograde step. As I have submitted, food is the first thing that should be grown in our soil. Import of foodgrains from provinces like Burma and Singapore has been stopped and during this famine time we have begged food from other provinces of India. It is a matter for serious consideration that a nation cannot live with a beggar's bowl always. There is no prospect that the Upper India provinces will always be able to supply food to us whenever there will be a deficit in this province. So, the whole energy of the Government should now be directed towards the production of foodgrains in our soil and instead of doing that the Government have now given a free hand to the cultivators for cultivation of jute in place of paddy and other foodgrains.

Considering the export position of raw jute there also I submit that there is no ground for fixing so high a proportion of acreage for jute cultivation. In the year 1941, we exported 749,000 bales of jute; in 1942 we exported 795,000 bales of jute in the jute year, that is, from the month of July to December, and in 1943 we exported only 476,000 bales. Considering the mill output of our country, we see that the position is also discouraging. In 1941, the mills produced 610,658 tons of jute goods in 1942 the output was 500,096 tons and in 1943 the output was only 401,000 odd tons. Therefore considering the export and manufacture position of jute mills of India, we find that there was no ground for increasing jute acreage in Bengal. During the last session, the last Ministry fixed one-half of the acreage for jute cultivation. The party now in power which was then in opposition raised a chorus of protest. Speaking on behalf of the then opposition, the Hon'ble Mr. Tamizuddin Khan stated that Government committed a serious mistake by not reducing the acreage of jute. He also stated that instead of launching a "Grow More Food" campaign the Government had undertaken a "Grow More Jute" campaign. Now, Sir, may I ask the present Ministry whether there has been any alteration in the position as between the last session and the present session and whether the position at that time was not better than the position existing at present. At that time famine did not break out in our country. At present there is a famine still raging in our province.

I find, Sir, that there is a Jute Advisory Committee in the province of Bengal. A few months back it was reported in the papers that the said Jute Advisory Committee advised the Government to confine jute licences to those lands where jute only could be grown. May I now ask the present Government why the advice of the Jute Advisory Committee was disregarded? Why has the acreage of jute lands been fixed at eight annas? Last year when the position was better, it was protested against. This time when the position is much worse, it has been resorted to. What makes the Government fix this acreage now? The only position that can be taken up by the present Ministry is this that they have yielded to pressure from the Government of India. If that is the position, I assert that they have already gone too far. They have given the task of feeding one portion of our province to the India Government. The India Government have been

allowed to interfere in the scheme of procurement of *aman* crop. The Military Government have practically taken up the Medical Department of this Government and military doctors are posted in every nook and corner of the country to look after the welfare of the people. Now this Government as the language of the press note betrays, allowing interference by the Government of India or the Military Government they have looked to the imperial necessity or the necessity of the Government of India more than the interests of our own province. If the present Ministry goes on in this way the position will then be that most of the powers of the Provincial Government will go into the hands of the Government of India or outside agencies or in other words the provincial sphere will be too much interfered with by agencies from outside which the province should always resent. May I ask now very seriously what the present Ministry will do if their food policy will be controlled by the Government of India, if their medical policy will be administered from outside and if their jute policy will be dictated by the powers that be. Will the present Ministry stand like a bandage on a leper's wound? The responsibility will be theirs but the work will be done by other agencies. What is this farce of provincial administration? What do you mean by provincial autonomy? If important matters, important functions, everything including the policy of agriculture were to be controlled from outside, what is the necessity for these Hon'ble Ministers sitting there? Do they think that only sitting on the treasury benches or sitting in the Secretariat will suffice? Does not the province expect that the provincial administration should be run by the province itself? Does not the province expect that any batch of Ministers sitting over there or sitting in the Secretariat will look to the interest of the people first? Is it not a matter of very great regret that these Ministers will only obey the wishes of other agencies as they will dictate from the point of view of their imperial interests or imperial needs? May I ask the Hon'ble Ministers to place on the table their cards that made them to meet this demand of the Government of India? If they say that they could not resist the demand of the Government of India, they should take the House into confidence and secure the help of every party in this House in this matter. What I would like to suggest is that the Bengal Government should disclose the whole matter so that all parties may put their heads together and put forth a joint demand against the demand of the Empire or of the India Government.

Now, Sir, the economic aspect of the thing also proves that there is no justification for fixing the maximum price of a particular quality of jute at Rs. 17 only. The middle *jat* quality is, it is well-known, not produced in all the districts but only a small portion of the total output is of that quality: the major portion of the jute produced in our country is of the bottom quality. If Rs. 17 is fixed to be the price of middle quality of jute in Calcutta, then the inferior quality will not sell at above Rs. 9 per maund in the mofussil. It is the general practice and it is also a well-known fact that the price of the money crop and that of the staple food crop should always bear the ratio of 4 to 1. If that is not observed, then generally the

agriculturists will sell their food crops in order to get their other necessaries. Here in all the districts of Eastern Bengal we find that rice is still selling at Rs. 16 to Rs. 20 per maund. (A voice: It is selling at Rs. 26 per maund.) One of my esteemed friends says that rice is selling at Rs. 26 per maund. If the price of jute is fixed at any rate lower than Rs. 17, then the agriculturist is bound to sell his foodgrains in order to meet his requirements, instead of his jute. This is a very dangerous situation that has been created by the step that has been taken by the present Ministry. The cost of production has gone up higher. Nowhere a labourer can be secured in this province for less than one rupee a day. If the cost of production is now computed, it will be seen that one maund of rice will cost at least Rs. 10 or 11. If the price of the bottom quality of jute is fixed at Rs. 8 or 9, then all the agriculturists taking to jute growing will be ruined. I would therefore again suggest that the Government should disclose the facts which compel them to take this step. If they do not do that, they will betray the cause of the country, as they have on occasions done in the past.

With these remarks, Sir, I support the motion of my friend, Mr. Biswas.

Dr. NALINAKSHA SANYAL: Sir, I rise to accord my wholehearted support to the adjournment motion moved by my esteemed friend Mr. Surendra Nath Biswas. Sir, the adjournment motion which deals with one issue really raises three vital questions. The first question is the question of fixation of acreage for the coming season: the second is the fixation of a minimum price which the Government propose to maintain: and third is the fixation of a maximum price which the Government hope the peasantry of Bengal would realise and which also they will possibly attempt to control. I will deal with these three questions one by one.

Sir, with regard to the question of jute acreage there have been numerous discussions in the past and those discussions have always been based on certain data. We tried to examine what is the probable consumption of the coming year; what is the likely production under certain circumstances and what would be the carry over of stock from the current season? From a study of these aspects of the question, I find that the opening stock in 1943-44 was 44·3 lakhs of bales. The crop season of 1943-44 is estimated to have yielded 69·5 lakhs of bales, the total supply in the current year coming up to 113·8 lakhs of bales, as against that in 1942-43 the estimated total supply was 130 lakhs of bales, and in 1941-42 132·6 lakhs of bales. So far with regard to the supply position.

With regard to distribution under various categories of consumption, in 1941-42 mills' consumption amounted to 72·8 lakhs of bales, in 1942-43, 71 lakhs of bales and this year with the experience of the six months that have elapsed we find that the total mill consumption would come up to near about 48 lakhs of bales: it may be 50 lakhs of bales if in the following months there is a larger production than in the past. The Hon'ble Minister in charge is nodding his head disapproving my suggestion. I will give him figures to prove how I come to this figure.

Sir, in between July 1943 and December 1943, during these six months the mills have consumed 23½ lakhs of bales. It worked out on an average 4 lakhs of bales per month. I presume, in January the consumption stood a little more and I put it at 5 lakhs of bales. And on an average if we take 4 to 5 lakhs of bales as the monthly consumption, that is the most that we can expect during the next six months, the total then would come up to 48 to 50 lakhs of bales at the most. In the whole year of 1941-42 the exports came up to 15·3 lakhs of bales and in 1942-43 13·1 lakhs of bales and up-to-date the exports have not exceeded 6 lakhs of bales and even at a liberal calculation, the exports in the year would not exceed 10 lakhs of bales. The average consumption and our local country consumption correspondingly I put at roughly 6 lakhs of bales for all these years. The total on this basis shows that in the current year 1943-44 the consumption would not go beyond 64 lakhs of bales, thereby leaving a carry over at the end of this season of roughly 50 lakhs of bales. Sir, with a carry over of that amount as compared with roughly 40 lakhs of bales in 1942-43 and 38·5 lakhs of bales in 1941-42, what would be the position at the end of June, 1944? Sir, on the face of such a supply position, it would be really a very bold measure on the part of Government to encourage any larger acreage of production than what actually had been experienced in the current year.

In the current year the acreage was 21·46 lakhs only although the previous Ministry permitted sowing up to 50 per cent. of the 1940-41 basis. Actually speaking, because of the greater demand for the production of food crops, the cultivation did not come up to the 50 per cent. level and the actual acreage was about 42 per cent. Even so, the production came up to 69·5 lakhs of bales in the current year. If 50 per cent. of production is permitted on the same basis, the total production would come up to nearly 78 lakhs of bales. I submit, Sir, that with 50 lakhs of bales left over as carry over of the present season and with 78 lakhs of bales as the coming crop of 1944-45, the supply position would be so hopelessly large that no amount of effort on the part of the Government would enable the grower to get a reasonable price. I submit, therefore, that under no circumstances Government should have agreed to permit 50 per cent. of the crop area of 1940-41 to be sown with jute in 1944-45.

That is the statistical position, but even apart from the statistical position, there is the other aspect of the question which has to be considered and which has been submitted by my friend Mr. Biswas, namely, that in the current year people will have to produce more food and Government should concentrate all their efforts to see that there is better production of food crops. The "Grow More Food" campaign would be reduced to a farce if simultaneously with the "Grow More Food" campaign, you permit more acreage under jute.

Coming now to the second of the arguments, namely, the minimum price fixed at Rs. 15 for the Indian *jat* middle, I submit that it is an illusion. Really speaking, as Mr. Biswas has already pointed out, 50 to 60 per cent. of the jute purchased by the mills is classified as bottoms so that that really counts—the price of bottoms really counts and not the price of the Indian

jat middle which is flourished as the price which is likely to be paid to the grower. The price of bottoms would be about Rs. 3 lower in Calcutta than the price of middles and in the mofassil it would be still lower by Rs. 2 to Rs. 2-8. In that calculation I agree entirely with Mr. Biswas that our cultivators in the mofassil, even accepting that Government will be in a position to maintain the minimum price, will not get more than Rs. 9 to Rs. 11 for two different categories of bottoms. I submit that at the present moment this is an extremely uneconomic level of price and no jute-grower of Bengal would have two square meals a day if Government would insist on such a minimum price.

Sir, I realise and I do appreciate Government's anxiety to see that something is done for giving an assurance to the poor peasantry of Bengal that they will get at least a minimum price, but I fear and my apprehension is based on solid ground that this is merely a bluff and Government cannot and will not be in a position to maintain even that minimum price. In July last year, the Indian Jute Mills Association came into an agreement that they would give the maximum prices of Rs. 14, Rs. 17 and Rs. 19 for the three categories of jute—bottom, middle and top. At that time I raised a voice of protest and sought in this House to move an adjournment motion. The Minister in charge at that time aired here a feeling of injured innocence and he said that there was no truth in it and there was nothing wrong about it and he pleaded that the Government of Bengal had been trying to get a much fairer price secured. He showed as if he knew nothing about the affairs of the Indian Mills Association.

Sir, the cat is now out of the bag. Of course, the cat was still there, but it has taken the cat six months to come out of the bag of the Minister in charge. The Indian Jute Mills Association fixed certain prices, but during the months of October and November, the price actually offered to growers of jute in the mofassil came down to near about Rs. 10 and in Calcutta the bottoms sold at Rs. 11-8 in November and the middles sold at Rs. 14-8 as against the stated prices of Rs. 14 and Rs. 17. The stock position was very bad in Calcutta, but as against that, the mills could not properly function because of want of coal and there were other difficulties in the way. The result was that the poor agriculturists had to suffer.

The price of Rs. 15 as the minimum price will be impossible to maintain for other reasons also. There will be transport difficulties. Even now there are large holdings of jute in the mufassil and these are bound to re-act on the prices up-country.

Sir, I feel that in view of these possibilities, Government have been very ill-advised to place any reliance on even the Government of India's assurance of coming forward to assist to maintain the minimum price of Rs. 15. In fact, on previous occasions whenever the House demanded of Government to fix a minimum price, Government always stated and rightly so, in my opinion, that it was impossible to maintain a minimum price. Even with the entire resources of Government it could not be done unless the supply position as related to the demand position ensured conditions which made that possible.

Sir, I now come to the third point and the most important point, namely, the fixation of the maximum price. In fact, Sir, that is the point to which I have to submit my greatest objection. I cannot understand what made the Government of India submit to the dictates of the Indian Jute Mills Association that they would not give anything more than Rs. 17 for the middles and Rs. 19 for the tops. When thousands of our other necessaries of life have to be produced at high prices, there is no justification whatever for Government to seek to fix a maximum price of the only money crop of the people of this province. I have taken some pains to calculate a comparative statement of profit per *bigha* from different crops at the present market rates. I find that the net profit from jute has gone so low—even at the price of Rs. 13 as the market rate in the mofassil—as about Rs. 35 to Rs. 36 only as against Rs. 50 per acre from paddy. In that event, it would be impossible for the cultivators to get their fair price even if the maximum is adhered to. The maximum is sought to be justified with reference to certain transactions entered into between the Indian Jute Mills Association and the United States purchasers. Sir, the United States purchasers must realise that if they want to buy Indian commodities at cheaper rates, it is for them to subsidise the poor cultivators. There has been an unholy conspiracy between United Kingdom, United States, Government of India and I presume the Government of Bengal as well. I submit that there ought not to have been any attempt on the part at least of the Government of Bengal to submit or to enter into this conspiracy, far less to agree to it. We would now much like that a member of the Government party would speak and enlighten us on the various points raised, so that it may be possible for some of us to give proper replies.

Mr. SASANKA SEKHAR SANYAL: Let us hear Government's case now. We shall speak after they have spoken.

Mr. ABDUR RAHMAN SIDDIQI: I think, Sir, that the Opposition was rather ill-advised in raising this debate at this stage, because in the Press Note every paragraph is stated in the future tense. Nothing seems to be definite and nothing seems to be certain and the action to be taken is not in the nature of something which is going to occur immediately. I wish we had waited and seen finally——

Dr. NALINAKSHA SANYAL: People dying!

Mr. ABDUR RAHMAN SIDDIQI: Will you kindly stop him?

Mr. SPEAKER: Order, order.

Mr. ABDUR RAHMAN SIDDIQI: I wish we had waited until the Government of India had taken the statutory action which has been promised to us in more than one paragraph, but the session perhaps would have ended by then and the opportunity for gassing of opinion would have been lost. I am gradually beginning to feel that friends opposite in the Krishak camp are losing their bearings because of the connection arising of their surroundings. "Grow More Food" has been iterated and reiterated. Yes, eight annas has been fixed, but nobody compels any one not to grow more rice

(Uproar). I am not making out a case, Sir. I am stating facts. Sir, if it is so desired, jute cultivation can go down to four annas. Government is not using compulsion in any manner whatsoever. I was astounded, Sir, when the Krishak member mentioned Burma and Singapore. It has now been established that rice which Bengal received from these sources was equal in quantity to the rice we exported. The closure of these sources, therefore, does not affect our position in any manner. Sir, a good deal of argument has been wasted on unessential points. I should like again to draw the attention of those who claim to speak in the name of the Bengal agriculturists more brain should have been put into the advocacy of their case. Krishak leaders should have taken a long-range view of the situation. "Grow More Food" has been attained through the *aman* crop this year. We have now to take into account the position of Bengal in the matter of jute. We possess the world monopoly in this commodity and if our peasants do not grow jute as it should be grown where shall we be later on? Sir, I consider the promise of the Government of India, which is going to be statutorily established very soon I hope, gives us one of the greatest opportunities for which we had been waiting all these years. Fixation of minimum price demanded crores and crores of rupees to keep it at the fixed level. Our Government could not do it. I challenge any one in the Opposition to question the courage, to question the long-sighted view, to question the spirit of service to the agriculturist that this Government has shown (Cries of "Question", "Question", from the Opposition benches.) (Rai HARENDRA NATH CHAUDHURI: It is all humbug.) Sir, I shall not tolerate the word "humbug". (Uproar). Sir, after having gone into the matter according to my own lights, I consider that every argument used by the Opposition was more than humbug, because it was intended for the gallery outside without taking into account the great achievement made by this Government (Cries of "oh, oh" from the Opposition benches). Mr. Speaker, Sir, when they find that their arguments have reached something beyond the humbug, they shout. What else can they do? Sir, our Ministers compelled the Government of India to give us the money to buy up every bale whether it is a 40 lakhs carry over or whether it is 100 lakh one. Prices shall remain at Rs. 15 so long as we ourselves do not decide to reduce them. Economic forces, as and when they come into play, will either raise the minimum price or reduce it, but once the Government of India has been tied down to the principle of buying up the carry over, many of our difficulties cease to exist. I hope honourable members opposite will realise that this is not going to be for one year only. Bengal now can build its jute policy perhaps for all time to come. They have also talked of eight annas. Honourable members who indulge in statistics do not seem to realise that the demand for jute, when the liberation of countries in Europe comes, especially of manufactured jute and jute bags is going to be enormous, and as and when that demand comes, I think we should make ourselves ready to supply it. Our agriculturists stand to gain by it. Provincial autonomy and other extraneous matters quite irrelevant to the subject under discussion have been mentioned which do not deserve any comment from any man of sense. There is, however, one thing and

which was mentioned with some gusto to the effect that the present Government had stabbed the poor agriculturist in the back. We have seen how this stabbing process went on during the period of the famine crisis. The persons who died were mostly my brothers, and Sir, it is to the shame of any person who calls himself a nationalist to get up and say that this Government which stood up for the people in the districts specially in the large jute areas, had stabbed them in the back. This process of stabbing is known to people who have indulged in it for years. I need not go into that because it will bring bitterness into my utterance tonight. Having said that—and considering that the compulsion used by this Government to force the Government of India to buy up all our carry over is one of the greatest achievements——

Dr. NALINAKSHA SANYAL: At Rs. 9 which will never be reached.

Mr. ABDUR RAHMAN SIDDIQI: They have talked of uppers, middles and bottoms—and the honourable mover of the adjournment motion even talked of things which perhaps he did not quite understand because one could see that he was reading from a manuscript that was perhaps given to him by some expert——

Dr. NALINAKSHA SANYAL: He is an expert himself.

Mr. ABDUR RAHMAN SIDDIQI: Having talked of the minimum price, I agree with the honourable member from the municipalities of Murshidabad that the fixation of Rs. 17 as the maximum price is to my mind entirely wrong. Influences which perhaps we cannot control have managed this price. I see no reason why the producer should have been debarred from getting a higher maximum price. A difference of Rs. 10 would have been reasonable and more satisfactory.

I know that the Government of India have poked their nose into many of our departments in Bengal. The Government of India for reasons of war have taken control of jute out of the hands of our Government and yet I feel that if the Government uses its influence it may be possible to induce, as the honourable member has said, the Government of India, the Government in the United Kingdom and even the Government in the United States of America to give us an extra few rupees by fixing a higher ceiling. I appeal to the Government to reopen the question with the Government of India again and get for us, if possible, a higher figure of maximum price.

Another thing—and I hope the Government will take note of it—is that if this Rs. 15 is going to stay then the prices of consumers' goods, specially what the jute producer needs, should also be fixed in parity with it. There we shall not have the necessity of appealing either to the United States or to the United Kingdom. He must get his rice, he must get his kerosene oil, he must get his salt, he must get his clothing and he must get his little needs and requirements at a price that he would be able to pay out of Rs. 15 which the Government has secured for him.

Mr. SPEAKER: Before I call upon any other honourable member to speak, I think I should make the position quite clear. We began I think at 4-45 (Dr. NALINAKSHA SANYAL: 4-50.) Yes, we began at 4-50. I was wrong; in the beginning some time was taken up on the point of order. The debate therefore terminates at 6-50. But there is a prayer interval of 15 minutes from 6-30 to 6-45. Speakers will kindly remember that and arrange accordingly.

Mr. SHAMSUDDIN AHMED: Let Government speak now.

The Hon'ble Mr. Khwaja SHAHABUDDIN: Sir, I shall not take up much of your time. But I may say that the Opposition has brought in this adjournment motion only to hide their discomfiture on the achievement of Government on this question. (Interruption.) Sir, the main points that have been raised by the Opposition in this connection are two. One is that by licensing eight annas acreage it will go against the Government's "Grow More Food" campaign and that so much land will be taken away from paddy cultivation. In this connection my friend Mr. Biswas quoted, and I think he deliberately tried to mislead the House by saying that the acreage under jute is 54 lakhs and the Government are trying to increase it. In his own motion—of course in his written motion—he put down that the jute acreage was only 26 lakhs. Actually what he was doing was that he was quoting the 1940 basic acreage. Since then the acreage under jute has been restricted and last year it was 25½ lakhs. So, all the figures and all the arguments which he gave to the effect that so many maunds of paddy can be produced, etc., etc., are therefore all wrong because the jute acreage is only 25½ lakhs and not 54 lakhs.

Dr. NALINAKSHA SANYAL: Your figure also seems to be inaccurate.

The Hon'ble Mr. Khwaja SHAHABUDDIN: My figure regarding jute acreage!

Dr. NALINAKSHA SANYAL: Is that an estimate or actual?

The Hon'ble Mr. Khwaja SHAHABUDDIN: Sir, my point is so clear that there is no question of argument over it. Mr. Biswas was quoting the basic figure of 1940. Where is the question of difference of opinion? Now the point is, what is the relationship between the jute acreage and the paddy acreage. As I have just now said, the acreage under jute on the basis of eight annas is 25½ lakhs whereas this year's total acreage under paddy is 266 lakhs; that means that the proportion that jute acreage bears to paddy acreage is 1:10. That shows how insignificant is the difference between this year's jute acreage and the same of previous years and how insignificant is the proportion between this difference and the total acreage under paddy. Then, Sir, we have been accused that we have increased the acreage. I maintain that by this decision of Government the acreage under jute has not been increased. Actually, the acreage under jute last year has been maintained and nothing more than that. Instead of decreasing we have just allowed that licensing may be done on the basis

of the same acreage as that of land year, namely, eight annas. Therefore, the accusation that there has been an increase in the acreage is absolutely wrong.

As far as Government's "Grow More Food" policy is concerned, I have the full authority of the Government to say that this decision of Government to license only eight annas of acreage will not create the slightest impediment to the Government's "Grow More Food" policy. We want to grow more food and we shall always encourage the agriculturists to grow as much food as possible. Sir, I make this announcement with a full sense of responsibility and on the authority of Government as a whole (Cries of "Oh! Oh!" from the Opposition benches). Sir, I submit that the Opposition have not the patience to listen to our arguments based on facts and figures and therefore they want to bring in confusion by shouting——

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister kindly explain what Government means by the expression "advise and encourage" contained in the bulletin?

The Hon'ble Mr. Khwaja SHAHABUDDIN: Please have patience. I will presently come to that point (Cries of "Reply, Reply" from the Opposition benches).

Mr. DHIRENDRA NATH SEN: May I put a question to the Hon'ble Minister, Sir?

Mr. SPEAKER: I find some honourable members want answers to certain questions but the Hon'ble Minister in charge is now replying to the debate. Let him first finish his speech and if anything comes out of it, honourable members will have a chance to put questions thereafter.

The Hon'ble Mr. Khwaja SHAHABUDDIN: Then, Sir, Dr. Sanyal had said that I had evaded giving answers and feigned ignorance. But I have now given him the whole facts. I think Mr. Abu Hossain Sarkar wants us to lay our cards on the table. I will do that. Sir, what I stated before was absolutely correct and what I promised then I have carried out and you have seen the result thereof. It is for that reason, Sir, that the Opposition is finding itself in a very uncomfortable position because of the great benefit we have rendered to the cultivators that they could never have dreamt of.

Sir, the Jute Mills Association came to a certain agreement not to purchase jute at prices higher than certain fixed prices. Government was not at that time officially informed of the matter. As soon as we came to know of that fact we entered our protests and expressed our opinion that we did not consider those prices to be fair. Since then, Sir, what has actually happened? Dr. Sanyal himself gave his case away when he stated that after some time of the fixation of that price by the Jute Mills Association the price in the mufassil fell down and his complaint is that the cultivator did not get even the parity price of that maximum. That is his complaint. He wants to say that we ought to have forced the Association

to give a better price. Now, what is that price? According to Dr. Sanyal the cultivators did not get the full benefit of the parity price of that maximum——

Dr. NALINAKSHA SANYAL: Because of your bungling!

The Hon'ble Mr. Khwaja SHAHABUDDIN: How could we come in there, Sir? That was purely a non-official arrangement between the jute mills.

Now, Sir, the position is this: what I was going to say about the Governmental achievement. Dr. Sanyal said that from time to time we have been demanding that a minimum price should be fixed, but no Government has so far been able to fix that price. I am trying to show that the one thing which is most important for the cultivator is that he should know what is the minimum price he is going to get for his jute and not only that, he should also know that there is a machinery which will be able to take off every bit of jute that he has grown and that he would not be left with a large burden if he does not get that price. (Dr. NALINAKSHA SANYAL: That is a hoax.)

Dr. Sanyal admits that this fixation of the minimum price of jute and this promise to buy everything is a great thing. But how he would meet that point? He would say, when we are going to carry it out, that it is a bluff. (Dr. NALINAKSHA SANYAL: You cannot.) Sir, I give an assurance to the House, and I know it is no use to say anything to the Opposition because they know their incapability: they know that when they were in the Government they were not able to do anything. I know they did not mean to do good to the people of this province. There was a mention of famine, epidemic and disaster in the country: it appears that they gloat over it. It does not mean that they are sorry for it or they consider it to be a calamity. Instead of considering it a calamity they seem to take pleasure in it. (Loud noise and laughter.)

Sir, this is the same thing as far as the cultivators are concerned. Because this Government has done something the Opposition simply try to run it down but they will never be able to achieve it.

Sir, I have got only 15 minutes' time and I have got to say one or two important things which have been raised by the Opposition. Great stress has been laid that these prices are Calcutta prices and everything has been left out as far as mofussal cultivators are concerned. Sir, if honourable members would read the statement carefully they would find that these prices have been guaranteed by the Government of India at Calcutta and also they have undertaken——

(At this stage the blue light was lit.)

Sir, it is an important point and I must finish it.

As far as the mofussal price is concerned, it is the responsibility of the Bengal Government to ensure the fullest benefit of the parity of these prices in the mofussal. (Rai HARENDRA NATH CHAUDHURI: Two rupees less.) I

am sure, Sir, that in no case we will allow the prices of the bottom to go down below Rs. 9. We expect that we will be able to set up a machinery and we will be able to make such arrangements that will ensure a better margin for the cultivator, but as far as the minimum is concerned it is the responsibility of the Bengal Government and we give the cultivators this assurance that we will ensure it for them.

There is another point which Dr. Sanyal made out. He quoted figures of the carry over and he said that on the basis of this carry over such an acreage is not justifiable, but he very cleverly did not mention the fact that the question of the carry over only comes in when there is no guarantee or there is no source of purchasing the crop that have been produced. Since the Government of India have given the guarantee the question of the carry over has become immaterial as far as the cultivator is concerned. Whatever be the carry over every bit of the jute that will be grown by the cultivator will be bought up at the minimum price. That question all the time Dr. Jenkins knowing full well tried to evade. (Laughter.) Sir, I mentioned Dr. Jenkins because recently I have been engaged in the Secondary Education Bill—I mean Dr. Sanyal. (Renewed laughter.)

Mr. SASANKA SEKHAR SANYAL: Sir, the time is up.

The Hon'ble Mr. Khwaja SHAHABUDDIN: There is another point which I would like to mention.

Rai HARENDRA NATH CHAUDHURI: On a point of order. Under rule 101 sub-rule (*2*) no speech during the debate shall exceed fifteen minutes.

Mr. SPEAKER: I know the rules are rigid on this point. So far as adjournment motions are concerned it appears to me the rule does not give me any discretion. It says, "No speech during the debate shall exceed fifteen minutes".

Mr. SASANKA SEKHAR SANYAL: Before the debate proceeds further may we have an enlightenment from the Government as to the point which was repeatedly raised by the speakers, namely, what the Government means by the expression used in the Press Note "advise and encourage". Does it mean expectation or compulsion or both, and if the expectation is fulfilled what will be the probable effect upon the food position in the province? Another point is, what will be the Government's attitude if the Opposition or for the matter of that any party outside the legislature carries on a propaganda asking the tenantry to grow less jute and more food?

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order. Either the Minister in charge should be allowed to finish his speech or no questions should be answered.

Mr. SPEAKER: The rule of an adjournment motion, as I have already stated, appears to me to be very rigid. It does not appear to me that it gives me any discretion in the matter of extending time for discussion either to the Minister in charge or to any of the members. Now, a question has

been asked. Well, if that question is to be answered by the Hon'ble Minister in charge it means that an extension of time has got to be given to the Minister in charge or it may be answered by some other Minister or any other member, if Government so desires. But if nobody wants to answer it, you cannot compel an answer to it. In fact it cannot be said that no member has got any right to ask a question; because if any member had desired to speak I do not know whether it would have been permissible for me to stop him altogether. Of course, it appears to me that in a discussion like this there should not ordinarily be any speech after the Minister in charge has spoken. That ought to be the ordinary course of things. If these questions were asked in the course of the speeches of honourable members, the Minister in charge would perhaps desired to reply to these things. I do not think, therefore, that there is any rule or procedure by which I can ask the Government to give reply to any query made at this stage.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. Mr. Sanyal asked a question which really pertained to the department of the Hon'ble Chief Minister who is the Home Minister. His question was whether any person who would carry on propaganda against the provision that is sought to be made by Government and ask people to grow more food and less jute would be prevented from doing so or would be harassed or arrested as you had been in the past.

Mr. SANTOSH KUMAR BASU: For which I had to appear before a court to defend you.

Mr. SPEAKER: You may put the question at the proper time and it will be answered. That question does not arise at this stage.

Maulvi ABU HOSSAIN SARKAR: The question be now put.

Mr. SPEAKER: That is the desire of both sides and I put the question.

The motion of Mr. Surendra Nath Biswas that the business of the Assembly do adjourn for the purpose of discussing a definite matter of urgent public importance and of recent occurrence, namely, the situation arising out of the decision recently arrived at by the Government of Bengal to encourage and advise the agriculturists to produce jute during the coming season in full eight annas of the basic acreage of 1940 to be sold at a maximum price to be fixed on the basis of Rs. 17 for Indian *jat* middles at Calcutta, the prices of other qualities or grades of raw jute being in parity with that price, while Bengal is in the grip of famine for want of sufficient food crop, was then put to vote and a division taken, with the following result:—

AYES—72.

Abdul Hafiz, Mr. Mia.
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Azimuddin Ahmed, Mr.
Badruddoja, Mr. Syed.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. P.
Barat Ali, Mr. Md.
Barma, Mr. Puspajit.
Barman, Mr. Upendra Nath.

Basu, Mr. Santosh Kumar.
Bhowmik, Dr. Gobinda Chandra.
Biswas, Mr. Surendra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri Rai, Narendra Nath.
Das, Babu Radhanath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Narendra Nath.
Dutta, Mr. Sukumar.
Edbar, Mr. Upendra Nath.
Fazlul Huq, Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Gupta, Mr. Jogesh Chandra.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, Nawab Bahadur K., of Dacca.
Hasan Ali Chowdhury, Mr. Syed.
Hashem Ali Khan, Khan Bahadur Maulvi.
Idris Ahmed Mia, Maulvi.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Mahtab, Maharajadhiraja Bahadur Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mookerjee, Dr. Syamaprasad.
Muhammad Atzal, Khan Bahadur Maulvi Syed.
Muhammad Solaiman, Khan Bahadur Maulvi.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Mustafa Ali Dewan, Maulvi.
Nandy, Maharaja Sriochandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Pani, Sir Hari Sanker.
Poddar, Mr. Anandilal.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanaullah, Dr.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shamsuddin Ahmed, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Narendra Kumar.
Waliur Rahman, Maulvi.
Zaman, Mr. A. M. A.

NOES—109.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Motaleb Malik, Dr.
Abdul Wahab Khan, Khan Bahadur.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah)
Abdus Shaheed, Maulvi Md.
Abul Fazl, Mr. Md.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Abul Masud, Kazi.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Anwarul Azim, Khan Bahadur Md.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Barma, the Hon'ble Mr. Premhari.
Biswas, Mr. Rasik Lal.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Manmohan.
Dass, Babu Debendra Nath.
Farhat Bano Khanam, Begum.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D., C.I.E.
Gomes, Mr. R. A.
Goswami, the Hon'ble Mr. Tulsi Chandra
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Hafizuddin Choudhuri, Maulvi.
Hamilton, Mr. K. A.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F., O.B.E.
Hodge, Mr. H. Rowan.
Jainiuddin Ahmad, the Hon'ble Khan Bahadur Maulvi.
Jasimuddin Ahmed, Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Kumar, Mr. Atul Chandra.
Leisk, Mr. John.
McGregor, Mr. G. G.
Mcpherson, Mr. G. P.
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).
Mandal, Mr. Amrita Lal.
Mandal, Mr. Sanku Behari.
Mandal, Mr. Jagat Chandra.
Mandal, the Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Abdul Halim Molla, Mr.
Muhammad Israil, Maulvi.

Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjea, the Hon'ble Mr. Taraknath, M.B.E.
Mullick, Mr. Mukunda Behary.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawai Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noeruddin, Mr. K.
Pain, the Hon'ble Mr. Barada Prosanna.
Powell, Mr. J. A.
Rajibuddin Tralder, Maulvi.
Razaur Rahman Khan, Mr.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sahebe/Alam, Mr. Syed.
Salim, Mr. S. A.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Skipwith, Mr. W. E.
Smart, Mr. J. N.
Stark, Mr. A. F.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Thorman, Mr. C. M.
Thakur, Mr. Pramatha Ranjan.
Walker, Mr. J. R.
Walker, Mr. W. A. M., C.B.E.
Whitehead, Mr. R. B.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.
Zillur Rahman Shah, Choudhury, Maulvi.

Ayes being 72 and the Noes 109, the motion was lost.

Adjournment.

The House was then adjourned at 6-25 p.m. till 3-30 p.m. on Thursday, the 10th February, 1944, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 10th February, 1944, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI) in the Chair, 12 Hon'ble Ministers and 188 members.

STARRED QUESTIONS

(to which oral answers were given)

Cases of dacoity, etc., in Midnapore.

*76. **Mr. HARENDRA NATH DOLUI:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to lay on the Table a statement showing the number of cases of—

(*i*) dacoity,

(*ii*) burglary,

(*iii*) robbery and

(*iv*) looting,

that occurred during the last two months in the district of Midnapore and specially in the subdivisions of Ghatal and Jhargram?

(*b*) Will the Hon'ble Minister be pleased to state how far the police has become successful in abating them?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) A statement is laid on the Table.

(*b*) The figures for December will show that measures taken were successful.

Statement referred to in reply to clause (a) of starred question No. 76.

	Midnapore.			Ghatal.			Jhargram.		
	July.	August.	December.	July.	August.	December.	July.	August.	December.
Dacoity ...	236	239	40	19	10	5	43	49	8
Burglary ..	285	259	46	19	17	2	47	40	8
Robbery ..	34	39	14	5	6	5	2	7	1
Looting ..	1	16	3	..	2	..	..	..	..

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us what were the measures that were taken?

Khan Bahadur MOHAMMED ALI: (1) Seven C. I. D. Inspectors on deputation to this district to combat the outbreak were posted to strategic areas.

(2) Investigating staff was strengthened by receiving sub-inspectors from other districts.

(3) Meetings were held by superior officers in the villages to encourage people to resist dacoities.

(4) Rewards were declared for the arrest of important absconding gang leaders.

(5) Extra force consisting of 2 sub-inspectors, 13 head constables and 82 constables of Special Armed Force were posted in different parts of the district to patrol.

(6) As a result of the combined measures important absconding gang leaders such as Jitin Mahapatra, Rama Mridha, Sk. Abbas, have been arrested. New gangs have been traced and lots of properties recovered. Gang members have either been sent up in charge-sheets or placed under surveillance. There have been several instances, where villagers have resisted dacoits and such acts are being encouraged with rewards.

SJ. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state what are the figures for the month of September and October in these parts?

Khan Bahadur MOHAMMED ALI: I can only give up to 25th September. One hundred and twenty-four cases of dacoities including six from Ghatal subdivision and 19 from Jhargram subdivision were reported up to the 25th September.

Mr. ATUL CHANDRA SEN: Did the Government consider the desirability of giving arms to selected people for resistance?

Khan Bahadur MOHAMMED ALI: No, Sir.

SJ. NARENDRA NATH DAS GUPTA: Will the Government be pleased to state whether they consider that the cause of the decrease of dacoities is due to harvesting in December or to the Police vigilance?

Khan Bahadur MOHAMMED ALI: Mostly due to Police vigilance.

Srijut MANINDRA BHUSAN SINHA: What are the figures for December, 1942?

Khan Bahadur MOHAMMED ALI: Figures for July, August and December, are given in the statement.

Financial assistance from Government of India.

***77. Mr. D. N. SEN:** (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state whether it is a fact that the Government have approached the Government of India for financial relief?

(*b*) If so, will the Hon'ble Minister be pleased to lay on the Table a statement on the present ways and means position of the Government?

(*c*) What are the specific objects for which financial relief has been sought from the Central Government?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. Tulsi Chandra Goswami): (*a*) Yes.

(*b*) This will be dealt with fully in the Budget Statement which will be made before the House in the current session.

(*c*) It would not be in the public interest to furnish details at this stage.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether he would be in a position in public interest at this stage to give this House at least information about the objects generally for which financial assistance is being sought from the Government of India?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: As I have said just now, I should like to deal with the whole question in its true perspective in my budget speech.

Dr. NALINAKSHA SANYAL: Has there been any attempt made to obtain any financial assistance from the Government of India to relieve the distress due to famine conditions and for rehabilitating the villagers in Bengal?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Those are the two main reasons why we have sought assistance from the Government of India.

UNSTARRED QUESTION

(answer to which was laid on the table)

Unstarred Question No. 28.

Mr. SPEAKER: Dr. Sanyal, have you any objection to this question being held over for the day?

Dr. NALINAKSHA SANYAL: No, Sir. As a matter of fact I was surprised that this question was directed to the Home Department. The previous practice in this office has been that the Assembly department questions were dealt with by the Deputy Speaker and not by the Home Department.

Mr. SPEAKER: That is one of the questions I want to look into. I also find that it is a question which was received in my office on the 30th of January, 1943, before I came into office. I was elected, if I remember aright, on the 2nd March, 1943. It never attracted my notice. Only when I got it today it attracted my attention. It relates to the Assembly Department. I think it will be desirable that I should be given an opportunity to look into this matter before it is taken up.

Dr. NALINAKSHA SANYAL: While looking into it I may also invite your attention to page 255 of the Assembly Proceedings, dated the 13th March, 1942, where I specifically moved a motion.

Mr. SPEAKER: That is all right. If you have got anything to say you may kindly see me in my chamber.

Held over question.

Khan Sahib HAMIDUDDIN AHMAD: Unstarred question No. 27 may kindly be held over.

Mr. SPEAKER: Yes, held over.

Increase in the cost of living index figures in 1943

29. Mr. SIBNATH BANERJEE: (*a*) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to lay on the Table a statement showing separately on the list of every month from January, 1943, to July, 1943, the cost of living index figures?

(*b*) Will the Hon'ble Minister be pleased to state whether it is a fact that the percentage fixed for expenses on food has been increased to about 80 per cent. in view of the abnormal rise in prices of all commodities?

MINISTER in charge of the COMMERCE and LABOUR DEPARTMENT (the Hon'ble Mr. K. Shahabuddin): (*a*) A statement is placed on the Table.

(*b*) No change has yet been made in the proportion of expenditure on food allotted in the indexes as compiled, which are based on enquiries made before the recent scarcity, but the trend of the figures now being collected in the family budget enquiry in Howrah goes to show that the percentage of expenditure on food at the present time may be as high as 80 per cent.

Statement referred to in reply to clause (a) of unstarred question No. 29.

I.—Cost of living index for the working classes in and around Calcutta.

(Base : August, 1939=100.)

1943.		
18th January	...	248
10th February	...	262
22nd February	...	269
16th March	...	291
22nd March	...	288
12th April	...	272
22nd April	...	260
11th May	...	286
22nd May	...	292
June	...	302
July	...	319
August	...	329
September	...	307

II.- The Jagaddal working class cost of living index.

(Base : August, 1939=100.)

1943.	
January	232
February	253
March	284
April	302
May	319
June	309
July	315
August	353
September	316

III—The Jagaddal working class cost of living index.

(Base January, 1943=100.)

1943.	
Februay	107
March	117
April	124
May	132
June	134
July	139
August	151
September	140

Adjournment motion.

Dr. SYAMAPRASAD MOOKERJEE: Sir, I have given notice of an adjournment motion for today.

Mr. SPEAKER: I think you have got intimation of my order on that.

Dr. SYAMAPRASAD MOOKERJEE: Yes.

Mr. SPEAKER: The position is simply this. It appears that the notice of this adjournment motion was received by the Secretary of the Legislative Assembly Department at 12-25.

Dr. NALINAKSHA SANYAL: When did the Secretary come to office?

Mr. SPEAKER: Order, order. Let me finish If you have got anything to say you will have your chance. The rules require that this notice must reach the Secretary before noon.

Dr. NALINAKSHA SANYAL: Secretary or the office?

Mr. SPEAKER: Dr. Sanyal, you are again interrupting. Will you not kindly stop interrupting me for a moment? The practice is that these things are generally received in office In this case something happened which requires, in my opinion, an enquiry. This motion was sent in a cover

addressed to K. A. Afzal, Esq., Secretary, Bengal Legislative Assembly Department. It was received in the Central Receipt section and then from there it was sent in a *Dak* book, as is the usual practice, to the Secretary, because the motion was in a cover addressed to the Secretary by name. The Secretary actually received it at 12-25. When I got it I tried to ascertain the exact time when it was received in office. So far as I could gather there is nothing on record to show the actual time of receipt in office. So I cannot pass any order until I have looked into the matter and I am satisfied that it was really received in office before noon. If it was not received in office before noon it may go out automatically. Therefore this matter cannot be taken up today.

Dr. SYAMAPRASAD MOOKERJEE: Then do I take it, Sir, that you will waive the urgency?

Mr. SPEAKER: I will consider this point when this matter will again come up.

Dr. SYAMAPRASAD MOOKERJEE: Sir, I am in a position to satisfy you that the letter was delivered to the Legislative Assembly Department before 12 noon.

Mr. SPEAKER: I will enquire into the matter.

Scarcity of salt in moffusil.

Maulvi ABU HOSSAIN SARKAR: Sir, may I bring to your notice that we are getting complaints from some of the districts that salt has become scarce in those parts?

Mr. SPEAKER: Mr. Sarkar, I am sorry to interrupt you, but at the same time I may tell you that if members are allowed to stand up and speak on a subject which is not on the agenda, the business of the House will become impossible. It may be that the Leader of the Opposition or in his absence the Deputy Leader might make a statement And you have got your own leader. I am sorry, I cannot allow this sort of discussion or statement.

Maulvi ABU HOSSAIN SARKAR: The matter is very important, Sir.

Mr. SPEAKER: It may be an important matter, and in that case the Leader of the Opposition or the Deputy Leader or your own leader could have made a statement.

Pending Questions.

Mr. CHARU CHANDRA ROY: Sir, may I point out that a lot of questions are pending from the last session, but only one or two questions are being disposed of every day.

Mr. SPEAKER: I will look into this matter very carefully and see what the real position is.

GOVERNMENT BILL.

The Bengal Agricultural Income-tax Bill, 1943.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I beg to move that the Bengal Agricultural Income-tax Bill, 1943, as reported by the Select Committee, be taken into consideration.

Sir, the report of the Select Committee has been in the hands of the honourable members for some time now and I may draw their attention to the more important changes made in the Bill by the Select Committee

The most important change refers to the exemption limit, which was Rs. 2,000 in the original Bill. This limit has been raised to Rs. 3,500; and, further, in the case of individuals and Hindu undivided families whose only source of agricultural income is land cultivated by them with or without the aid of hired labourers, a statutory presumption has been added that no one having 60 *bighas* of land or less will be considered to have a taxable income.

It will be further noticed that a presumptive cost of cultivation equal to 50 per cent. of the market value of the produce has been provided for in Bill for the benefit of individuals and Hindu undivided families whose primary means of livelihood is agriculture and who cultivate their own lands with or without the aid of hired labourer.

In respect of agricultural income derived from rent or revenue a proviso has been added to sub-clause (*6*) of clause 6 to enable the landlord who get his accounts properly audited to take advantage of the actual cost of collection subject to a maximum of 17½ per cent of his rent-roll.

Allowances in respect of maintenance of embankments, dykes and irrigation and protective works have been increased to suit the case of lands in the Sundarbans and other similar areas In respect of all agricultural incomes a new provision for allowance has been added to cover such expenses as are not specifically provided for but are necessary for deriving the agricultural income.

In respect of mixed incomes dealt with in clause 8 of the Bill, any determination of the market value of the agricultural produce, any apportionment of a common charge and any apportionment of income as between Bengal and outside areas made under the Indian Income-tax Act have been made binding on the Provincial Government.

Agricultural income derived from buildings has been excluded from taxation. The definition of Hindu undivided family has been restricted to families governed by the Mitakshara Law. Provision has been made for a second appeal and for an Appellate Tribunal to hear such appeals. Clauses 47 and 48 of the Bill, imposing on the Provincial Government the liability to make a refund to British residents that portion of the Bengal tax which would not be refunded to them by the United Kingdom Government have been deleted.

Sir, besides the above, other changes have been introduced here and there in the Bill to which the attention of the honourable members will be drawn presently as the Bill be considered clause by clause. I take the opportunity

of thanking the members of the Select Committee for the hard work they put in for a period of about two months and a half. From the brief reference I have made to the result of their work, it is clear that the interest of all classes of assessees was carefully and sympathetically considered by them and I dare say that the Bill as emerging out of the Select Committee has been well received by all parties.

With these words, Sir, I commend my motion for the acceptance by the House.

Dr. NALINAKSHA SANYAL: At this stage I have to submit to you, Sir, that this Bill, as the Hon'ble Minister has already explained, has had extensive changes effected in the Select Committee. Although the Select Committee——

Mr. SPEAKER: What are you speaking on?

Dr. NALINAKSHA SANYAL: On a point of order, Sir. I might invite your attention to paragraph 4 of the Report of the Select Committee where the Committee recommends that in their opinion the Bill has not been altered to the extent as will require republication. But the manner in which the Hon'ble Minister has today explained and the black lines in the Bill show that it requires republication. This is my point of order, and we would have your ruling as to whether or not the Bill which shows almost on every page black marks throughout requires republication, because there is no other authority which can decide on this issue except yourself.

Mr. SPEAKER: I must say that I am not quite prepared for a point of order like this, but it appears to me that rule 56(3) of the Bengal Legislative Assembly Procedure Rules requires that the Select Committee shall, in their report, state whether or not, in their opinion the Bill has been so altered as to require republication, whether the publication directed by these rules or by the Assembly has taken place and the date on which the publication has taken place, or where publication in more than one language is ordered, the date on which the publication in each such language has taken place. Therefore this rule gives the right as to whether this should require republication or not to be stated "in the opinion" of the Select Committee itself and that has been stated. You ask me now to give a ruling as to whether it should be republished. Is that your point of order?

Dr. NALINAKSHA SANYAL: Yes. The Select Committee complies with one part of the rule but whether republication is at all called for in view of the changes effected or not the judgment will be yours.

Mr. SPEAKER: I think not. The judgment will be the judgment of this House. It is for the House to give its verdict as to whether it should be recommitted or republished. It is for the House to do that and it is not for me to give any ruling on that point.

Dr. NALINAKSHA SANYAL: Sir, you said that the House will do it, but unfortunately rule 58 precludes the possibility of a motion for circulation or republication. There are specific directions.

Mr. SPEAKER: I quite see that. But it is not my business; it is the business of the House—the House may throw it out altogether. It is not a point of order on which I am called upon to give a ruling.

Dr. NALINAKSHA SANYAL: Sir, you say that you have no powers. I invite your attention to rule 116.

Mr. SPEAKER: My attention has very often been drawn to rule 116 and it is not absolutely unknown to me. With full knowledge of the provisions of that rule, I have stated that it is not for me to give any verdict now at this stage as to whether it should be republished or not.

Mr. Surendra Nath Biswas, you may move your amendment No. 4. Other motions are not in order.

Mr. DHIRENDRA NATH DATTA: Why not Mr. Abu Hossain Sarkar's motion?

Mr. SPEAKER: That is too vague.

Mr. DHIRENDRA NATH DATTA: I submit not as the words "the Select Committee" are there.

Mr. SPEAKER: In that view it may be in order. But it is not only the Select Committee but certain other details are also wanting and so I have ruled it out. The whole trouble is that I have not been able to go through these things. My office has not yet put up its note with regard to these things on account of shortness of time but I think it is not in order.

Khan Bahadur Haji BADI AHMED CHOUDHURY: আমি জানিতে চাই যে এক নম্বর প্রস্তাব আমার নামে আছে, সেখানে আমাকে call করা হলোনা কেন?

Mr. SURENDRA NATH BISWAS: Sir, I beg to move by way of amendment that the Bill be recommitted to the same Select Committee with instructions to submit their report on or before the 30th June, 1944, the quorum being the same as before.

Sir, I had the honour to be the first member in this House to have tabled a resolution far back in the year 1937 in the first session of that year advocating the abolition of Permanent Settlement not for the sake of abolition but for the purpose of capitalising the net revenue that might be derived from land so as to secure a huge amount of money, which I estimated at 114 crores of rupees, to be spent on the nation-building departments for the amelioration of the people. Sir, the principle behind my resolution was and still is that any revenue that the Government may realise from the land must be utilised for the benefit of the agriculturists and the nation as a whole. On this question the Floud Commission submitted a report. They reported that as it would take a long time for the completion of the arrangement for the State to acquire the landed interests of the rent-receivers some tax in the shape of Agricultural Income-tax might in the meantime be imposed so as to get some more revenue from the land. Sir, the Floud Commission at the same time was strongly of opinion that that revenue should be utilised solely for the benefit of the agriculturists and the province as a whole.

Sir, I think I speak the minds of the representatives of the rural people in this House, no matter to which party they belong, when I say that the Agricultural Income-tax, if and when realised, should be utilised for the benefit of the agriculturists and for that purpose it should be earmarked. Sir, if that is so, and I believe it is so, then I submit that this Bill be recommitted to the Select Committee to consider that question before it comes to the House. This is a very important matter. We cannot allow any revenue from the tax imposed upon income from land to be devoted to any other purpose than the purpose of benefiting agriculture and the agriculturists of this province. Sir, the agriculturists need amelioration in many ways specially today; so any revenue that may be derived from the land should be utilised to ameliorate their distress and to solve their problems. But, Sir, if that proposal comes directly from us to this House instead of through the Select Committee, I am afraid, however important that question may be, however forcible our arguments may be, the Government Party will turn down that proposal. Besides, if the Minister in charge will not accept that proposal of ours, I am afraid also that no member of the Government Party will dare to make a proposal that the revenue derived from this tax should be devoted to the benefit of the agriculturists. In that position the best course will be to refer this matter again to the Select Committee. In the Select Committee my experience is that the members discuss matters irrespective of their party affiliations. They are free enough to give their opinion and to vote. I believe that if the Bill be referred back to the Select Committee with this direction that they should consider very seriously the question whether there should not be a clause in the Bill or whether the Preamble should not be so amended that the income derived out of this tax should be devoted to the benefit of the agriculturists alone, the Select Committee will be pleased to favour that reference and to make necessary amendments in the Bill.

Sir, my second point is that this Bill for Agricultural Income-tax should have been an *ad interim* measure because the Floud Commission recommended that a tax upon agricultural income might be imposed until the Commission's recommendations for State acquisitions were acted upon. Sir, we cannot allow such a tax to be levied for all and for an indefinite time I hope the members on my opposite also will agree that this Bill should be an *ad interim* measure. They should remember that this measure, unless it is a temporary one, will seriously affect the interests of the agriculturists of every status for all time to come. All *raiyats* and under-*raiyats* will be permanently affected by such a measure. They should seriously consider whether such a measure should be treated as an *ad interim* one. I believe, Sir, the Select Committee will consider this question also with cool head and they will come to a favourable decision. For these two points of view, Sir, I believe, my friends will agree with me that the Bill should be recommitted to the same Select Committee.

With these words, Sir, I hope that the members of this House will accept my motion.

(Khan Bahadur Haji Badi Ahmed Choudhury rose to speak.)

Mr. SPEAKER: দেখুন খানবাহাদুর ছাহেব, আপনি মেম্বারদের যে নাম দিয়েছেন, তার সবগুলির consent আসে নাই, কয়েকটির consent পাওয়া গিয়েছে। কয়েকটি পাওয়া যায় নাই। শুধু ৫, ৬ ৮, ১০, ১১, ১২, ১৩, ১৪ নম্বর এই কয়টি নাম আপনি উল্লেখ করবেন, আর বাকিগুলি বাদ দিয়ে পড়বেন।

Khan Bahadur Haji BADI AHMED CHOUDHURY: Sir, I beg to move by way of amendment that the Bill be recommitted to a Select Committee again consisting of—

(1) The Hon'ble Mr. Tulsi Chandra Goswami,
(2) Maharaja Srischandra Nandy, of Cossimbazar,
(3) Maulvi Ahmed Ali Mridha,
(4) Dr. Sanaullah,
(5) Dr. Nalinaksha Sanyal,
(6) Mr. Abdul Latif Biswas,
(7) Mr. Dhirendra Nath Datta,
(8) Kazi Emdadul Haque, and
(9) Khan Bahadur Haji Badi Ahmed Choudhury (the mover),

with instructions to submit their report by the 15th April, 1944, and that the quorum of the Select Committee be fixed at five.

আমি কেন এই প্রস্তাব করিয়াছি সে সম্বন্ধে দুই একটা কথা আপনাদের নিকট বলিতে ইচ্ছা করি। বাংলা দেশের লোকের মধ্যে শতকরা ৯০ জনই কৃষিজীবী বলা যায়। এবং চাষীরাই বাংলা দেশের মেরুদণ্ড। রাষ্ট্রের খোরাকীও তারাই জোগায়। অথচ এই রকম যে একটা মারাত্মক আইন হইতেছে তা তারা এযাবৎ কিছুই অবগত নয়।

Mr. SPEAKER : খান বাহাদুর, আপনি Hon'ble Minister টি, সি, গোস্বামী বলে উল্লেখ করেছেন, তা না কোরে আপনি বলুন যে Minister in charge.

Khan Bahadur Haji BADI AHMED CHOUDHURY: হাঁ আমি তো মন্ত্রীর কথা বলিয়াছি। (A member from the Coalition Benches হাঁ, হাঁ, মন্ত্রীর কথা কইছেন) (laughter and interruptions).

Mr. SPEAKER : আচ্ছা আপনি বলুন।

Khan Bahadur Haji BADI AHMED CHOUDHURY: আমি নতুন লোক, এত বাধা বিঘ্ন জন্মাইলে আমার বলিবার ক্ষমতা থাকে না, আমি যখন পুরাণ কাউন্সিলে ছিলাম তখন একরূপ ভাব দেখিয়াছি, এখানে নূতন আসিয়া নূতন তামাসা দেখিতেছি। এদিক হইতে বলিতেছে এক কথা, অন্য দিকে বলিতেছে অন্য কথা; আমি কোন দিকে তাকাইব বুঝি না।

Mr. SPEAKER : আপনি আমার দিকে তাকাইয়া বলুন।

Khan Bahadur Haji BADI AHMED CHOUDHURY: আপনার দিকে তাকাইয়া বলিলেও সেরূপ কহিতে পারিব না। আপনি যদি আর কাউকে কথা বলিতে না দিতেন তাহলে চলতো। আগের মতন হাউস নাই। (A member : উনি আগের কাউন্সিলে ৭ বৎসর ছিলেন) এখন একটা "খেলনা বাজি" হইতেছে। এদিকে বল্লে এ আপত্তি করে, অন্য দিকে

বল্লে অন্যে আপত্তি করে। (a voice from the Coalition Benches: কারণ এখানে এবারে অসভ্য লোক ঢুকেছে।) আমি সকলের কাছে বলছি—আপনারা মন দিয়া শুনুন। কোন ভুল হইলে আপনারা আমাকে ক্ষমা করিবেন। আমার কথা আপনারা না বুঝিলে আমার আর বুঝাইবার ক্ষমতা নাই। (DR. NALINAKSHA SANYAL: একটু বিশুদ্ধ চট্টগ্রামী বাদ দিয়ে আমাদের বোঝবার মতন ভাষায় বোলবেন।) আমি আমার সরল ভাষায় বলিব, আপনার গোল না করিলেই বুঝিতে পারিবেন। এই বিলে চাষীরাই বেশী ক্ষতিগ্রস্ত হইবে। Select Committeeতে সাড়ে তিন হাজার টাকা আয়ের উপর কর ধার্য্য উপযোগী করা হইয়াছে। আমি আমার দেশের অভিজ্ঞতা হইতে বলিতে পারি—যার এক জোড়া গরুর চাষ আছে তার ৪ একর জমি যদি চাষ করা হয়, তার দেড়শত মণ ধান উৎপত্তি, তার value ১৫ শত টাকা। যদি এক জোড়া গরু দ্বারা চাষ করায় ১,৫০০৲ টাকা, তাহলে দুই জোড়া গরু, বা মহিষ দ্বারা চাষ করার জন্য সে যদি কুড়ি একর জমিতে ফসল করে তাতে ৫০০ মণ গড়পড়তায় ধান হইবে। তাতে গভর্ণমেণ্টের বর্ত্তমান মূল্যে ৫,০০০৲ হাজার টাকা হয়। তাতে দেখা যায় যে বাংলা দেশের এমন চাষী খুব কমই বাদ যাইবে যার ট্যাক্স দিতে হইবে না। কিন্তু তাঁরা একটা কথা বলিতে পারেন যে "এই আইনটা জমিদারের শোষণ বন্ধ করিবার জন্যই করা হইয়াছে এবং যে সকল চাষীরা বেশী টাকা উপার্জন করে কিন্তু গরীবদের দেয় না তাদের উপর হইতে পয়সা আদায়ের জন্যই এ আইনটা করা হইতেছে।" কিন্তু তাহা নয়, প্রকৃতপক্ষে প্রত্যেক চাষীদের গলা কাটার জন্যই এই আইন প্রস্তুত হইতেছে। (A member from the Krishak Praja Party: জবাই করার জন্য বলুন।) তাঁরা আবার একথাও বলিবেন যে "চাষীদের খরচার জন্য কতক বাদ দেওয়া যাইবে" কিন্তু সেক্ষেত্রে আমি বলিতেছি এবং মাননীয় মমিন সাহেব এখানে থাকিলে প্রমাণ করিতে পারিতাম, আমাদের সেখানে কি ঘটনা হইয়াছে (noise and interruptions)। চট্টগ্রাম জেলায় R. S. জরিপের সময় যেই জমা-ধার্য্যের বিধান করা হইয়াছিল, তখন আইনের বিধান ছিল শতকরা ৩৲ টাকা হইতে ৫৲ টাকা পর্য্যন্ত আখেরাজাত অর্থাৎ জমা-ধার্য্যে ঐরূপ মোনাফা বাদ দেওয়া, কিন্তু রায়বাহাদুর রমেশ সেন যে জমা ধার্য্য করিয়া আসিয়াছেন তাতে দেখা গেছে শতকরা ১৫৲ টাকার নীচেও আখেরাজাত দিয়া আসিয়াছে। সেই জন্য এক্ষেত্রেও যখন এই income-tax ধার্য্য করার সময় অফিসার নিযুক্ত হইবেন সেখানে নিশ্চয়ই তাঁরা গভর্ণমেণ্টের কাছে নাম পাবার জন্য এমন ট্যাক্স করবেন যেমন নাকি রায়বাহাদুর রমেশ সেন করিয়াছেন। ৫।৬ বৎসর লোকে চীৎকার করিবার ফলে গভর্ণমেণ্ট বুঝিতে পারিয়াছেন যে এই জমা-ধার্য্য ব্যাপারে গভর্ণমেণ্ট অত্যন্ত অন্যায় করিয়াছেন। ৫।৬ বৎসর আদায়ের ফলে গভর্ণমেণ্ট যখন দেখিলেন যে তাঁদের লক্ষ টাকার মহাল নামমাত্র মূল্যে চলিয়া যাইতেছে তখন (noise and interruption) দেশের ও দশের দুর্দ্দশা দেখিয়া গভর্ণমেণ্ট প্রকৃত অবস্থা বুঝিবার জন্য এ সম্বন্ধে তখনকার হাউসে আমি ৩০।৪০টার উপর প্রশ্ন করিয়াছি এবং ১৫।১৬টা resolution করিয়াছি তার জন্য জেলা ম্যাজিষ্ট্রেট ফৌজদারীতে দেওয়ার উদ্দেশ্যে নোটিশ প্রচার করেন। আমি দার্জিলিংএ যাইয়া লাটসাহেবের সঙ্গে দেখা করি। আমি একথা এজন্য বলিতেছি না যে আমি লাটসাহেবের কাছে যে গিয়াছিলাম এই কথাটা এখানে canvass করিতেছি। আমি লাটসাহেবের কাছে যাইয়া নিবেদন করি যে প্রকৃত দেশের যা দুঃখ সেইটে গভর্ণমেণ্টের কর্ণগোচর করিয়াছি এই জন্য জেলা ম্যাজিষ্ট্রেট কেন ফৌজদারীতে ফেলিবার নোটিশ দিলেন। লাট সাহেব বাহাদুর তদন্ত ফলে বর্ত্তমান কৃষিমন্ত্রীকে জমা-ধার্য্য বিষয় স্পেশিয়াল ম্যাজিষ্ট্রেট নিযুক্ত করিয়া পাঠান।

তাহাতে এককালীন ১১ লক্ষ টাকার উপর গভর্ণমেণ্ট আদায় করা রাজস্ব ফেরত দেন এবং মনির ১½ লক্ষ টাকা জমা মিনাহা দিয়া চট্টগ্রামবাসীকে বাঁচান। আজিকা যে একটা কৃষি আয়কর ধার্য্য হইয়া যাইতেছে তাহাতে এখানকার অনেকেরই কিছু যায় আসে না। চাট্টগাঁয়ের যাঁরা প্রতিনিধি তাঁদের জমিজমার সঙ্গে কোন সম্পর্ক নাই (A member: কেন ডাঃ সোনা-উল্লার?), তাঁদের মফঃস্বলের সঙ্গে কোন সম্পর্ক নাই। আমাদের চাট্টগাঁয়ের যাঁরা মেম্বর যেমন মিসেস নেলি সেনগুপ্তা, তিনি মফঃস্বলের লোক নন, তার উপর তিনি বেশী সময় কলিকাতাতেই থাকেন। ইসলামাবাদী সাহেবের মফঃস্বলের সঙ্গে সম্পর্ক কিছু রহিয়াছে, কিন্তু জমিজমার সঙ্গে বিশেষ সম্পর্ক নাই। খাজনা কি করিয়া আদায় হয়, নিতে ও দিতে হয় কিছুই জানেন না। (A voice: সব কিছু নেয়া দেয়ার জ্ঞান কেবল আপনার একারই) আপনারা যদি এইভাবে আপত্তি করেন আর বাধা দেন তবে আমি বসিয়া যাই। আমি প্রত্যেকের নাম বলিতে চাই না। আমি জানি এখানে অনেক মেম্বর আছেন যাঁদের সঙ্গে ভূমির সম্পর্ক নাই। কিন্তু অনেকে আছেন যাঁরা প্রকৃতই চাষ কি, চাষ করিতে কি খরচ হয় তা জানেন না। চট্টগ্রামের সঙ্গে অন্য জায়গার তুলনা হয় না, চট্টগ্রামে খাস মহলই বেশী। চট্টগ্রাম জেলায় খাসমহলের কোন কোন জমির প্রত্যেক একরে প্রজার উপর ২০৲ টাকা ২৫৲ টাকা কর ধার্য্য হইয়াছে। এরূপ বাংলা দেশের কোন জায়গায় আছে কিনা জানি না। এবং সেই ২০।২৫৲ টাকার উপর যাঁরা মধ্য-স্বত্ববান তাদের শতকরা দশটাকা মুনাফা দিয়া ৯০৲ টাকা আদায় করিতে হয়। আর সেই ৯০৲ টাকা হইতে তালুকদার গভর্ণমেণ্টকে ৮০৲ টাকা দিতে হয়, সুতরাং ৯০৲ টাকার মধ্যে ৮০৲ টাকাই দিতে হয়, এইভাবে চলিতে থাকিলে জমিজমার কোন অস্তিত্ব থাকিতে পারে না। ইহার ফল এই দাঁড়াইয়াছে যে saleএর সময়ও মহলের ডাক উঠে না। কারণ প্রজা-সাধারণ হইতে যা তারা পায় তার তুলনায় অনেক বেশী গভর্ণমেণ্টকে দিতে হয়। এই তো অবস্থা। সেই জন্য আমি বলিতেছি এই আইনটা দেশের লোকের মতামত সংগ্রহের জন্য Select Commmitteeর report গেজেটে publish করিয়া এবং প্রত্যেক জেলার লোকের সাক্ষ্য লইয়া আইনটা আরো সুন্দর করিয়া প্রণয়ন করুন। যার ট্যাক্স দিবার ক্ষমতা আছে তার উপর ট্যাক্স ধরুন, কৃষকদের পালন করুন। কিন্তু একজন গরীবকে বাঁচাবার জন্য দুইজন বড়লোককে গরীব করিবেন সেটার ফল শুভ হইবে না।

আমি চাট্টগাঁয়ের একটা Union Boardএর President, আমি জানি চাট্টগাঁয়ের ধান দিয়ে চট্টগ্রাম যথেষ্ট চলিত। কিন্তু গভর্ণমেণ্টের ধান-চাউল কেনার ফলে তার আবার দর চড়িয়া যায়। এ বৎসর একমণ ধানের দাম ৫।৬৲ টাকায় আসিয়াছিল, তার ফলে চট্টগ্রামের চাউলের দর বাংলা দেশের প্রায় সব জেলার সঙ্গে সমান হয়,—কিন্তু গভর্ণমেণ্ট না জানিয়া না বুঝিয়া অর্ডিনেন্সের উপর অর্ডিনেন্স বাহির করিয়া দেশের সর্ব্বনাশ করিতেছেন। দেশের মঙ্গল করিতে কাহারও আপত্তি নাই কিন্তু সেটা সকলের সঙ্গে পরামর্শ করিয়া করুন।

এই সঙ্গে আমি আর একটা কথা বলিতেছি। চট্টগ্রামের District Magistrate একদিন আমার ইউনিয়নে যাইয়া আমরা যে (kichen) কিচন (অন্নসত্র) দিচ্ছিলাম সেটাকে সীমাবদ্ধ করিতে বলেন। তখন যে ৬০০ লোককে খাওয়ার দেওয়া হইতেছিল তাহার ৪০০ লোক কমাইয়া তিনি মাত্র ২০০ লোককে দিতে বলেন। এবং তিনি বলেন যে ৬০০ লোককে বেশী দিন বাঁচানো যাইবে না, সেইজন্য ৪০০ লোককে মরিতে দিয়া ২০০ লোককে খাওয়াইয়া বাঁচান। তারপর যদি ক্ষমতা হয় পরে সকলকেই বাঁচাইবেন। এ অবস্থায় ইঁহারা বলিতেছেন যে গরীবদের

বাঁচাইবার জন্য ট্যাক্স ধার্য্য করিতেছেন। কিন্তু যে গরীবদের বাঁচাইবার জন্য ট্যাক্স করিতেছেন তারা, সেই ট্যাক্সদাতাগণ, পুনঃ মরিয়া যাইবে। অর্থাৎ যাহারা আমাদের মেরুদণ্ড, যাহারা আমাদের খোরাক যোগায়, তারাই মরিয়া যাইবে। এটা করিলে চাষীর উপায় থাকিবে না। আগে ছিল এক টাকায় ২টি চাষের লোক এখন ৫৲ টাকা দিলেও লোক পাওয়া যায় না। গভর্ণমেণ্ট ৫৲ টাকা করিয়া দৈনিক দিয়া লোক নিতেছেন, তা ছাড়া গরু-মহিষেরও দাম অনেক চড়িয়াছে। যে গরুর দাম ছিল ১০-২০৲ টাকা তার জোড়ার দাম ৪০০৲ টাকা, লোকে বিশেষ কিনিতে পারে না। এই সব অবস্থা বিবেচনা করিয়া কর ধার্য্য করুন।

আমি সঙ্গে সঙ্গে আর একটা অনুরোধ করিতেছি গভর্ণমেণ্টকে এই আইনটি বাংলায় অনুবাদ করিয়া কাগজে প্রচার করুন, যাহাতে দেশের লোক বুঝিতে পারে ইহাতে তাদের মঙ্গল কি অমঙ্গল হইবে। তবেই তারা বুঝিতে পারিবে যে তাহাদের যে জবাই করিতেছেন সেটা "কোরবানির" জন্য না সৈন্যদের খাওয়াইবার জন্য, যদি মনে করেন যে এটা কোরবানির জন্যই জবাই আপনারা করিতেছেন তাহলে অনেকেই হয়ত সম্মতি দিবে—যে আমাদের "কোরবানি" কর। কিন্তু যদি অন্য কারণে করা হয় তাহলে সকলেই প্রতিবাদ করবে যে কেন আমাদের অনর্থক জবাই করিতেছ। বাংলা দেশে মহামারি অনেক দিন ধরিয়া চলিতেছে আর ২।৩ মাস অপেক্ষা করুন। আমরা সকলেই বুঝিয়া দেখি। আমি বাংলা দেশের তিনটা জেলার জমিদার ও মধ্যবিত্তের প্রতিনিধি, এ আইনটা আমার নিজের বুঝিবার আর দরকার নাই, কিন্তু যারা আমাকে পাঠাইয়াছে তাহাদের যাহাতে ভাল হয় সেটা আমার দেখা কর্ত্তব্য। তা ছাড়া এখানে আরো মেম্বর আছেন তাহাদের সকলের এটা বুঝিবার মতন ক্ষমতা নাও থাকিতে পারে। সেইজন্য পুনরায় আমি আপনাদের অনুরোধ করিতেছি এই বিল পুনরায় Select Committeeতে দিয়া বাংলায় translation করাইয়া দেশের মধ্যে প্রচার করুন। এবং মোটামুটি দেশের লোকের মত সংগ্রহ করুন, লোকের সাক্ষ্য-সাবুদ নিবার ব্যবস্থা করুন। আমি আর লম্বা বক্তৃতা করিতে চাই না, আমি আশা করি গভর্ণমেণ্ট আমার এই পরামর্শের কথা গ্রহণ করিবেন। এবং দরকার হইলে Select Committeeতে আরো লোক add করিয়া লইবেন।

(At this stage the House was adjourned for 15 minutes.)

(After adjournment for prayer.)

Mr. SASANKA SEKHAR SANYAL: Sir, I beg to move by way of amendment that the Bill be recommitted to the same Select Committee with instructions to submit their report by the 31st March, 1944, and that the quorum of the Select Committee be fixed at as before.

Sir, my purpose to bring in this motion was not so much to obstruct the passage of the Bill, as such, as to get an opportunity of making certain general observations with regard to the Government in relation to this taxation measure and other such measures. Sir, it is a well-known parliamentary practice that whenever any Finance Bill is introduced in the Legislature, even when such bills are otherwise welcome, the Opposition can review such finance measures on the very ground of political principle. Sir, I belong to a political party, and that party along with others in the Opposition, has a grievance against the Government of the day, and I believe it is my right on behalf of such a party and on behalf of the Opposition in general to convey to the House and to the Government of the day

our grievances. Sir, you know when this Ministry took office certain pledges were given to this House and to the larger section of the people outside. One of these pledges was to release political prisoners, particularly those who are detained without trial, as quickly as possible. Sir, I will not drag down the name of my revered leader, Mr. Sarat Chandra Bose because, in the first place, I know that this Government has declared its helplessness in relation to him; in the second place, I will not drag down his name because I know in my heart of hearts that this Government will not be able to do anything for him. It will not be fair on my part to profane that sacred name in the sacrilegious atmosphere of this House. Leaving him apart, may I say at this stage of those persons over whom the Government have got domination so far as the matter of detention and the matter of release are concerned. Sir, the political atmosphere in the country which was surcharged with unrest some time back has returned to more than normal condition, and we do not know why the Government cannot see its way to get the release of these prisoners forthwith. I am making a particular appeal to my friend the Hon'ble Finance Minister who is not only a member of the Cabinet but who is also the Deputy Leader of the Coalition Party behind the Treasury benches. I am making this appeal not in a spirit of levity. I am making this appeal to a person who has had a political past and who has risen up to his present position by virtue of circumstances which were the creation and a gift of his former comrades who are now in jail and I hope the Hon'ble Finance Minister will accept my appeal in the spirit in which I am making it and I hope he will have something to give us on the floor of this House today.

Sir, it may be contended and claimed that there have been releases at the instance of the present Government. I do not deny that. That there have been releases is not disputed. I am myself a case in point and my friends who are here are also illustrating that, but look at the other parts of the country There prisoners have been released *en masse*.

Mr. SPEAKER: Mr. Sanyal, I think you may make some reference to the facts to which you are referring, but is it in order to dilate so much on it?

Mr. SASANKA SEKHAR SANYAL: If you think that I am not in order, I will not develop this point further, but at the very beginning I took your indulgence by an observation that it is a well-known parliamentary practice that whenever a finance measure is brought, the party in Opposition has a right to protest against the Government of the day on other grounds.

Mr. SPEAKER: I have allowed it so far, but if you make that the only point, that is another thing.

Mr. SASANKA SEKHAR SANYAL: Very well, Sir, I will not develop that point.

Sir, look at the other parts of the country. There mass releases have taken place and even in provinces where there is no provincial autonomy

functioning, the bureaucracy has taken notice of the existing situation and has not hesitated to release prisoners in general and I hope the Hon'ble Finance Minister, the Deputy Leader of the Coalition Party, will have something substantial to say on this point.

Then, SIR, coming to the actual Bill itself, I am criticising the Bill because I have got and others in the Opposition have got their misgivings about the conception of the Bill itself and about the purposes for which the outturn will be spent. I am referring to the Hon'ble the Finance Minister's Statement of Objects and Reasons in the original Bill itself. It is stated there: "Government have decided to impose a tax on agricultural income both because additional revenue is urgently needed and because they consider that it is equitable to impose such a tax."

Sir, before I deal with the question of equity I propose to deal with the question of urgency for the required additional revenue. What is the urgency? That has not been indicated by the Hon'ble Minister in his prefacing speech. I do not know whether he took into confidence the members of the Select Committee and satisfied them about the existence of such an urgency, but we, the ordinary members of the House who were no party to the proceedings of the Select Committee and to whom the proceedings of such Select Committees are sealed under convention, have a right to know the nature of the urgency which impels the Government to come in with a taxation measure of this momentous character.

Sir, our misgivings have deepened because in course of the debate on the previous taxation Bill, namely, the Finance Sales Tax (Amendment) Bill, pointed questions were formulated and placed before this House by various members of the Opposition and it was complained that much of the expenditure with which the provincial exchequer is to be burdened is expenditure on and for war purposes, but remarkably, Sir, the Hon'ble Finance Minister, who is undoubtedly one of the ablest parliamentary debaters, sidetracked that important question and had nothing to say upon that. He simply with his frankness said that the Bill is a money Bill. Money is wanted and to that extent his frankness was appreciated, but the House demanded greater and more needed frankness as to what was the urgency for and what actually was the Government's position in relation to war expenditure. If the Hon'ble Finance Minister has thought fit to refer to the urgency, it was only fair and proper that at least in his introductory speech he ought to have referred to the nature of the urgency, but since he is silent on that point, we must be left to draw our own inferences.

Sir, this urgency may be of two kinds—urgency purely within the provincial sphere for the day to day administration of the Government as such and urgency with regard to the situation arising out of the imposition of the war burden upon the exchequer of this province. So far as the urgency in relation to the internal condition of the province is concerned, even there the Hon'ble Finance Minister has not taken this House into confidence. I believe it is not his case that extra expenditure necessitated by the abnormal conditions within the province is also one of the reasons

for the imposition of this tax. He might say that the famine conditions and other abnormal economic factors have created an upheaval within the province so much so that additional taxation is necessary. Well, Sir, this is not the time nor the occasion to criticise and comment upon what Government did or what Government failed to do in connection with the famine conditions as such. The appropriate time and occasion probably will be in connection with the budget discussions which are forthcoming. But, Sir, in passing we may make mention of the fact that Government failed to appreciate the urgency of the famine conditions in due time and by a policy of drift and by a policy of wishful thinking what they did by way of expenditure was nothing but sheer waste of a large expenditure. What could have been done by one rupee in proper time has been done only to a fraction by Rs. 100 at a later stage

Now, Sir, with regard to the question of the burden imposed upon the provincial exchequer in relation to war conditions I think the implications are very grave and require proper clarification at the proper stage. We want to know from the Government as to whether the Provincial Government is a helpless machine, a tool in the hands of the superior powers and that they are bound to carry on expenditure which will be dictated by the higher powers If that is the position, I do not think the Finance Minister ought to hesitate to lay the cards on the table because we know very well that as a subject nation we can be forced and fleeced. But if we cannot resist such forcing and such fleecing, we can at least tell the powers that be that if we have got to pay by force we have got to be told that we are being forced It is one thing to be compelled to pay out of helplessness and it is another thing to have to pay as if we are paying for the improvement of the province. In this connection I expect the Hon'ble Finance Minister to tell us as to what negotiations he had not only with the Central Government but also with the military authorities. We are told that Bengal at least a part of Bengal is under military command. We want to have an authoritative pronouncement by the Government of the day and we want it forthwith We also want to know what were the negotiations between this Government and the Central Government on the one hand and this Government and the military authorities on the other. Sir, war conditions have undoubtedly involved a great deal of expenditure, but we do not know why the Americans and the Britishers and the other active partners in the allied powers are unable to meet the cost of war Sir, aeroplanes overhead are flying from morning till midnight and we poor people at the bottom, we have got to pay the last drop of our blood! If our blood is to be taken, we have a right to know why and for what purposes our blood is being taken and who are the powers who are compelling us to give our blood. Sir, in this view of things we are approaching this taxation measure with feelings of diffidence and nervousness. The Hon'ble the Finance Minister who is a master of phrases has then said that they consider that it is equitable to impose such a tax. What is the equity? Is it the urgency for additional expenditure? Is that the only equity or there is some other equity which he can explain before this House? Sir, the Agricultural Income-tax has its equity and our conception of that equity

is different from the conception of equity of the Government which is nothing but urgency. Sir, we on this side of the House, ever since 1937, have pressed for the abolition of the *zemindari* system and we have been unanimous and insistent that all rent-receiving interests above the actual producer must be absorbed by the Government for the State. When the Floud Commission came, the position was far from satisfactory, but still we welcomed them. We did welcome this approach to the question at least as something, and when the Floud Commission declared that landlordism as such must be abolished, and when they recommended Agricultural Income-tax as a transitory measure, we did welcome that in our heart of hearts. We did welcome that, because it was recognised officially and authoritatively that landlordism is a worn-out system. We did welcome Agricultural Income-tax, because it was a step towards its abolition. May I ask the Hon'ble Minister and through him the Government and through him also the larger party which is supporting the Government of the day in all humility as to whether the present income-tax is a step towards the desired objective of getting the *zemindari* system abolished or whether it is merely one of the revenue-grabbing measures as we suspect that it is?

Sir, you know that this question was agitating the experts of the province for some time and they were unanimous that whatever would be received as the outturn of the Agricultural Income-tax as recommended by the Floud Commission would be spent exclusively and solely for the benefit of agriculture and agricultural projects May we know, Sir, what projects this Government of the day have in their minds while they have applied themselves to the question of imposing Agricultural Income-tax? If they have none, then they have our curses; and if they have really any such project, they have our blessings. Sir, it has been stated by speakers preceding and it also appears from various amendments that have been tabled that there is an insistent desire that the outturn of this taxation measure should be kept earmarked for the improvement of agriculture. I want to know from any member of the Coalition Party supporting the Government whether any of them differ from this spirit and this conception of the Agricultural Income-tax. I can challenge, I know them, I know most of them and I know their sense of responsibility, I am throwing out this challenge to Government that no member of the Coalition Party has a different view in this matter.

Sir, the only equity is that the Agricultural Income-tax should be kept either as a single fund for the purchase of lands in future and in the meantime to be earmarked for expenditure on agricultural projects as such.

Sir, my friend Khan Bahadur Haji Badi Ahmed Choudhury in his maiden speech has struck a very real note when he said that there is some danger that the present taxation measure will also retard the agriculturists in the matter of production of food crop. Sir, today the greatest problem, the problem of problems is the shortage of food and when yesterday members opposite pointed out the situation in that respect, Government had no reply to give on this matter; that is to say, the increased jute acreage is going to dislodge food from the province and this increased burden of taxation

upon the produce of agriculture also is going to have a similar effect. I hope the Hon'ble the Finance Minister will take stock of the position and give his considered and wise replies on these points.

Sir, we are passing through a crisis—a crisis deeper and darker ahead. War will come to an end sooner or later, we hope sooner than later, but immediately after the war we shall be facing a great problem arising out of post-war reconstruction and the finances of the province will have to be studied carefully. Agricultural Income-tax is certainly a valuable source of getting revenues for nation-building purposes. The last drop of energy of the masses should be kept in reserve for post-war reconstruction. Since we had no nation-building department, since Government is busy collecting revenues, I submit that if they do not earmark this money for the improvement of agriculture at least in view of the post-war problem, this taxation measure instead of being a blessing will be a curse, because this will amount to shedding the last drop of blood of the masses

Sir, with these few words, I commend the motion for the acceptance of the House.

Maharajadhiraja UDAY CHAND MAHTAB Bahadur, of Burdwan: Mr. Speaker, Sir, it is very strange that Government have not yet explained the implication of their policy with regard to the imposition of a tax on agricultural income. The Finance Minister has simply harped on the theme that Government want revenues to make up the large gap between provincial receipts and provincial expenses. They say that the expenses have gone beyond limits owing to unforseen conditions of the war and as such they would impose a tax on agricultural income. Such a thoughtless attitude merits serious condemnation It is for the Finance Minister to find out how the soaring expenses can be controlled and how to find out new revenues with the minimum of damage to the given conditions of society. In an abnormal condition brought about by the war the Government is entitled only to play with the surplus purchasing power created artificially by the exigencies of the war. But instead of seeking to divert the surplus purchasing power brought about mainly by inflation the Government have come forward with a measure to tax income from agriculture which forms the fundamental industry in the province, knowing full well that the real incomes of the rent-receiving community have gone down terrifically in view of the fact that their incomes are inelastic whereas their cost of living has risen abnormally. It marks a definite deviation from the canons of sound public finance but in an abnormal condition of war a community whose purchasing power has gone down in a pronounced manner is singled out for taxation. I record my opposition to such a thoughtless policy of taxation when it is brought about in the midst of over-powering famine conditions. The Select Committee have accentuated the unsatisfactory nature of the measure by drawing out a sharp line of distinction between agricultural income from rent or revenue and agricultural income from agriculture. It roundly means that the rent-receiving community whose incomes are inelastic in effect pay more taxes whereas agriculturist families carrying on agriculture with the aid of hired labour but enjoying all the

advantages of inflation will be treated liberally. In a taxing statute the importation of such discriminating policy is unheard of, the more so when the income traceable to the war time inflation is least affected. Still we are seriously told that this taxation measure is more in the nature of an anti-inflatory move on the part of Government. It is indeed strange that the Government of Bengal have accepted this untenable position. The Government of Bengal maintain that this is a war measure, but they do not pursue the logic by making it a temporary one. If it is meant to stabilise the finances of the Provincial Government owing to war conditions the measure should be expressly limited to a definite period. Sir, am I to understand that the labours of the Floud Commission on which a great amount of public money was invested have all run to waste? The Commission recommended a tax on agricultural income as a transitional measure until the public acquisition of *zemindaries* is undertaken and suggested it as a permanent measure only when the policy of State purchase is abandoned for financial or other reasons. Those with landed interests are entitled to know from the Government of Bengal where they stand in respect of the purchase question when the tax on agricultural income is being imposed as a permanent measure. We call for a declaration from the Government of Bengal if the recommendations of the Floud Commission are to be treated as scraps of paper or if the present measure is to be taken as a move to depress the values of *zemindaries* at the time of adopting a policy of purchase. The Legislature has perfect right to know the implications of the measure and I trust that the Hon'ble Finance Minister will disclose his predatory intentions if any.

Sir, with these words I support the motion for recommittal.

Mr. ATUL CHANDRA SEN: Sir, on principle I cannot oppose a measure like this. I know that a tax on income is an equitable tax, if industrial and other incomes are liable to taxation there is no reason why agricultural income should not be so, but the real question that has got to be considered in this connection is this. What is the occasion that calls for a measure like this at this stage? The Hon'ble Finance Minister has suggested that his budget has got to be balanced Do I hear him say "no"? He may say no, but reading between the lines one can see that his budget has got to be balanced and therefore he has brought forward this measure before this House. Now, the question is what have disturbed his budget? Unforeseen circumstances arising out of the war. The question that I put before the House is this. Are we to pay because of the war that has been thrust on us? The House knows and you know, Sir, that my people were not even consulted before the declaration of war. My people were not a party to the declaration of war. When the leaders of my people demanded that the people ought to have been consulted, when they demanded that the Government must declare their war aims, they got a flat refusal. Messrs. Winston Churchill, Amery and Company have said many things regarding war aims, but nowhere have they made it definitely clear that this war is really war of the Indian people and that India

will have its legitimate share, its legitimate place in the future reconstruction of the world after the war. Therefore, if it is said that this measure, this tax is necessary to balance the budget which has been disturbed by the war the people cannot be asked to pay for the extravagances created by circumstances for which they are not responsible. Then, Sir, we have seen during the past few months the province had been in the grip of a terrible famine. People have died like fleas and we know that people died because of circumstances arising out of the war. My Hon'ble friend Mr. Gladding speaking in the last session of the Assembly admitted that this famine was primarily a war-made famine. If it is true, as we know it is, His Majesty's Government and for the matter of that the Allied nations ought to have come forward to the aid of starving millions of Bengal. They have not done that. On the floor of the House we said more than once that Bengal ought to be declared a famine area. We said that appeals should be made to His Majesty's Government and to the Allied nations to come to Bengal's aid. Aid was not coming forth. Bengal's people were left to die like fleas. Bengal was not saved. If Bengal was not saved, if in time of Bengal's dire distress the Allied nations did not come forward with help Bengal should not be asked to pay to balance the budget which has been disturbed by their war.

Then, Sir, regarding future, we are told that in God's good time Bengal will have its legitimate place in the world reconstruction, but events today show that Bengal or for the matter of that India will be totally ignored in the future reconstruction of the world. If that is Bengal's plight today, and if that is Bengal's plight in future, Bengal must not be asked to pay to balance the budget that has been disturbed by the war. Then, Sir, if money be really necessary for Bengal today, there are other ways and means for finding money. Economy may be practised by making substantial cuts in the high salaries of the heaven-born services. Let the Government of Bengal make a representation to His Majesty's Government that Civil Servants must forego substantial part of their salary. There are other ways also, Sir, for effecting economy, and before trying those means to meet the deficit it is not becoming of the Government to ask the suffering and starving people to balance the budget.

With these words, Sir, I accord my wholehearted support to the motion moved by my honourable friend Mr. Sanyal.

Mr. H. ROWAN HODGE: Mr. Speaker, Sir, when I addressed the House on the motion for reference to Select Committee I said that we on these benches approved the principle of an Agricultural Income-tax for this province. I emphasized that we approved the principle, but I indicated at the same time that we were very concerned at the form of the Bill itself and I expressed great hope that we should see improvements from the Select Committee.

Now, Sir, a reference to the Select Committee report indicates that very numerous revisions have been made Clauses have been entirely rewritten; other clauses have been altered and clauses, some of which are vital to the interests which we represent, have been omitted. However, I do not

consider that the Bill has been so altered that it cannot be put right in the House and therefore I do not support the motions for recommittal. We have no desire to embarrass Government by delaying introduction of this tax provided the Bill is put into a proper form.

Now, Sir, the main burden of our objection is briefly indicated in the dissenting minute which I signed attached to the Select Committee report. We feel that the Bill, as it has emerged from the Select Committee, is an unbalanced and inequitable measure. We here only ask for fair and rational legislation in taxation, and I may say quite frankly that had the Bill followed the scheme of the Indian Income-tax Act, we here could have given Government our full support.

Now, Sir, briefly the objections of our Group to the amendments contained in the Select Committee report may be summarised in this way. On the one hand extra privileges are granted to certain sections of the taxpayer and on the other hand additional burdens are cast——

Mr. DHIRENDRA NATH DATTA: I rise on a point of order, Sir. After opposing the motion for recommittal, is it relevant at this stage for the honourable member to refer to matters relating to provisions contained in the Bill? He has opposed this motion and after having opposed the motion Mr. Hodge at this stage is not relevant when he refers to certain provisions of the Bill which in his opinion are not proper.

Mr. SPEAKER: I think he is perfectly within his right, and that is no point of order.

Mr. H. ROWAN HODGE: I was going to say, when I was interrupted——

Rai HARENDRA NATH CHAUDHURI: I think, Sir, Mr. Datta is quite right in raising a point of order——

The Hon'ble Mr. Khwaja SHAHABUDDIN: On a point of order, Sir. When a point of order has already been disposed of by you, Sir, as being no point of order, is the honourable member in order to question your ruling?

Rai HARENDRA NATH CHAUDHURI: I rise on a point of order, Sir, apart from the point of order raised by Mr. Datta——

Mr. SPEAKER: Order, order. Mr. Rai Chaudhuri, you began by saying that Mr. Datta is perfectly right after I have said that there is nothing in Mr. Datta's point of order. That you cannot do. If you want to raise another point of order, I am prepared to allow you but, please, do not begin in that way.

Rai HARENDRA NATH CHAUDHURI: Mr. Datta raised a point of order, but I am not raising a point of order on the very same ground on which the point of order of Mr. Datta was raised. Mine is altogether on a different ground.

Mr. Rowan Hodge has admitted in his speech that the Bill has not been so considerably changed in the Select Committee that he should go against the report of the Select Committee but he is definitely of opinion that the alterations that have been effected by the Select Committee, although they are far-reaching and although they have rendered the Bill unbalanced in his view, yet they can be changed by amendments in this House. If so, why should he waste the time of the Assembly? On the other hand he should allow this motion to be quickly disposed of so that he may have the opportunity of dealing with the amendments which concern him when we come to the consideration of the Bill, clause by clause. Now my point of order is, after he has admitted that the provisions of the Bill can be changed at the consideration stage and after he has admitted that the Bill has not been so changed as to be recommitted to the Select Committee, why should he go on with a speech dealing with the provisions made in the Bill which are considered objectionable by him.

Mr. SPEAKER: Your point of order is this that he should not at this stage be permitted to enter into details about the provisions of the Bill. I think that is perfectly right. Mr. Hodge, you need not at this stage enter into details but you can simply say that there are some provisions to which you object and these you can in one or two words place before the House. That would be quite in order.

Mr. H. ROWAN HODGE: In my submission I have not referred to details. I have only been giving some indications of our objections to some of the provisions in the Bill. At the same time I am supporting the motion for consideration.

Sir, I have already referred to questions of privileges and other questions of casting additional burdens. Briefly, the privileges are that the lower level of taxation has been raised: complete exemption has been granted to agriculturists having sixty bighas of land and other agriculturists are to be allowed a deduction of 50 per cent. before assessment. Now, Sir, we here do not quarrel with the principle of allowing some latitude to the poorer tax-payer, but we do quarrel with the principle that the Bill recommends on the other hand casting additional burdens on certain sections of the tax-payers. Now, Sir, those may be briefly referred to as provisions relating to collection charges of *zemindars* which are not to allow the full expenditure incurred, and to the scheme of the Bill under which arrears of rent and other agricultural income may be charged to tax, thereby giving retrospective effect to the Act and at the same time not allowing full allowances. Again, on an important question about the treatment in the Bill of refunds to share-holders, partners and members of associations the Bill seeks in the first place to emulate the scheme of the Indian Income-tax Act by the system of collection of taxes at the source. Under that scheme the tax collected is at the highest possible rate and until adjustments are made by way of refunds the revenue is overpaid at the expense of the tax-payer. On the face of it the Bill proposes to give refunds but when we examine the clause we find that they are to be restricted. The

result is that those sections of the tax-payers are to be charged at rates which are higher than the rates which are mentioned in the Schedule. The only reason for this apparent discrimination appears to be a view held in some quarters, that those sections of the tax-payers can afford to pay more; but why?

Now, Sir, the most important clauses, so far as the interests of the party I represent is concerned, are the clauses dealing with what is known as reciprocal relief. Those clauses have been omitted from the Bill in the Select Committee and I cannot help feeling that the implications of those clauses are not fully understood. I do not propose to discuss the details of those clauses but merely to point out that the introduction of those clauses in the Bill would not mean the Bengal Treasury giving up one pie in refunds on existing rates of taxation but the introduction of those clauses——

Mr. SPEAKER: Mr. Hodge, you are opposing reference to Select Committee and you are practically speaking in favour of it. You had better not speak now but speak at a later stage.

Mr. A. F. STARK: He is speaking on the motion for consideration.

Rai HARENDRA NATH CHAUDHURI: It is an introductory speech to certain of his amendments which will come later.

Mr. SPEAKER: It is better, Mr. Hodge, that you state these things for consideration at the proper time.

Dr. NALINAKSHA SANYAL: We can fully understand Mr. Hodge is torn between two masters.

Mr. H. ROWAN HODGE: Mr. Speaker, Sir, I particularly want to make it clear to Government that our attitude to the Bill will depend upon the amendments which will be made in the House and we regard these clauses of the utmost importance. After the Bill is passed through the clauses stage we shall then consider our attitude to the Bill.

Now, Sir, I have said that we recognise the need for additional finance in this province. (Dr. NALINAKSHA SANYAL: For war purposes.) We know that that has been to some extent caused by war expenditure. On Thursday, the 4th February, during the debate on the Sales Tax an honourable member from the official Congress benches in his speech said: "Sir, standing here I can say on behalf of my party that we have no sympathy with the war efforts and therefore we cannot give our support to such a Bill, but if as a matter of fact the British Government declares that the people of India have got sympathy with war efforts, there is no reason why this Bill should not be circulated for eliciting public opinion treating it as a war taxation."

Later he says: "It is a war for the perpetuation of their Empire. It is not a war for the liberation of India and as it is not a war for the liberation of India we shall not pay a single pie for the war efforts."

Now, Sir, when it is remembered that men of the United Nations including Indians are today laying down their lives that Bengal and indeed all India shall not suffer the fate of Burma, these observations do indeed reveal to the world that Congress has undergone no change of heart.

Sir, I support the motion for consideration.

Maulvi ABDUL WAHED : মাননীয় সভাপতি সাহেব, এই কৃষি-আয়কর আইন পুনরায় Select Committeeতে পাঠাইবার জন্য যে সংশোধনী প্রস্তাব হয়েছে এইটা সমর্থন করতে যেয়ে বলতে চাই এই আইনের খসড়া যখন প্রস্তুত হয় তখন সাদা চামড়া বন্ধুদের সুবিধা দেখে তাঁদের আঁতে কোন ঘা না লাগে এই রকম ব্যবস্থা হয়েছিল। কিন্তু Select Committeeর Reortএ তাঁদের আঁতে ঘা লাগার জন্য তাঁরা অস্থির হয়ে পড়লেন। Floud Commission Reportএ প্রথম মন্তব্য করেছিলেন জমিদারী প্রথা উঠিয়ে দেওয়া উচিত এবং দ্বিতীয় মন্তব্য করেছিলেন যতদিন না জমিদারী প্রথা উঠে যায় ততদিন একটা কৃষি-আয়কর ধার্য্য করা যেতে পারে। বিগত মন্ত্রী-সভা—হক মন্ত্রিমণ্ডলী—গত মার্চ্চ মাসে এই পরিষদে জমিদারী প্রথা তুলে দেওয়া হবে বলে ঘোষণা করেছিলেন। তখন তথাকথিত লীগের ধ্বজাধারী নবাবরা গুরুতর ষড়যন্ত্র জাল বিস্তার করেন এবং তাদের মুরুব্বী মৃত গভর্ণর স্যার জন হারবার্ট সাহেবও ইংরেজ মেম্বরগণের সঙ্গে ষড়যন্ত্র করেন এবং হক মন্ত্রী-সভার হাত থেকে মন্ত্রিত্ব কেড়ে নেওয়া হল এই কারণে যে তাঁরা জমিদারী প্রথা তুলে দেবেন বলে ঘোষণা করেছেন। হক মন্ত্রী-সভার আরব্ধ কার্য্য অর্থাৎ Floud Commissionএর প্রথম সুপারিশ বাদ দিয়ে বর্ত্তমান মন্ত্রিমণ্ডলী দ্বিতীয় সুপারিশ কার্য্যকরী করলেন কেন। তার কারণ হল প্রথম সুপারিশ কার্য্যকরী করতে গেলে তাদের নিজের আঁতে ঘা লাগে, কারণ জমিদারী প্রথা বা চিরস্থায়ী বন্দোবস্ত উঠে গেলে নবাব সুবারা মারা যাবেন। তারপর কৃষি আয়কর থেকে যে টাকাটা উঠবে সেই টাকাটা কিসে ব্যয় করা হবে এই রকম কোন নির্দ্দেশ স্পষ্টভাবে দেওয়া হয় নাই, কেবল রাজস্ব বৃদ্ধি করার জরুরী প্রয়োজন হয়েছে এই কথাটাই বলা হয়েছে। জমিদারী প্রথা বা চিরস্থায়ী বন্দোবস্ত তুলে দেওয়ার বদলে স্বরূপ কৃষি-আয়কর ধার্য্য হচ্ছে কি না এইটাই হল মস্ত বড় প্রশ্ন।

হয়ত কেহ কেহ বলবেন জমিদারেরা এবং মস্ত মস্ত জোতদারেরা দরিদ্র কৃষক জনসাধারণকে নানাভাবে শোষণ করে, কাজেই তাদের হাত থেকে কৃষকদের রক্ষা করার জন্য এই কর ধার্য্য করা হচ্ছে। উত্তরে বলব ঘরের ইঁদুর মারবার জন্য কেহ গোক্ষুর সাপ পুষতে পারে না। এই আইনে তাই হচ্ছে। তারপর যতক্ষণ না বলে দেওয়া হচ্ছে যে এই কৃষি-আয়করের অর্থ জমিদারী প্রথা উঠিয়ে দেওয়ার ব্যাপারে খরচ হবে কিম্বা চাষের উন্নতিকল্পে কিম্বা চাষীদের ছেলে-মেয়েদের অবৈতনিক বাধ্যতামূলক শিক্ষার জন্য ব্যয় করা হবে ততক্ষণ এই আইনের বিরুদ্ধ সমালোচনা হবেই। আজ আমি বলতে চাই লীগের ধ্বজাধারী মন্ত্রিমণ্ডলী একদিকে বাংলা দেশকে শ্মশানে পরিণত করেছেন অন্যদিকে বাংলা দেশকে জনশূন্য করবার ব্যবস্থা করছেন। যদি বলা হয় এই কৃষি-আয়করের টাকার দ্বারা ধান চাউল কিনে রাখা হবে দরিদ্র জনসাধারণকে খাইয়ে বাঁচাবার জন্য তাহলে বলব মন্ত্রিমণ্ডলী ফাঁকি দিয়ে নিজেদের স্বার্থসিদ্ধি করতে যাচ্ছেন। যদি বলা হয় এই টাকা দিয়ে ফসল কিনবেন তার উত্তরে বলব গভর্ণমেণ্ট Agentরা যেসব ধান চাউল খরিদ করেছিলেন সে সমস্ত চাউল খাওয়ার অযোগ্য হয়েছে এবং সেইগুলিকেই ration করে control করে সেই পচা মাল চালাবার ব্যবস্থা করা হয়েছে এবং এই

টাকা দিয়ে নূতন ফসল কেনা হবে এবং তার দ্বারা নিজেদের এবং নিজেদের ভৃত্যদের খাওয়াবার জন্য ব্যবস্থা করা হবে। সেই জন্যই বলছি এই আইনটা পুনরায় Select Committeeতে পাঠিয়ে যাতে দরিদ্র জনসাধারণের প্রকৃত উপকার হয় সেইভাবে পুনর্বিবেচনা করার জন্য এই প্রস্তাব সমর্থন করি।

Rai HARENDRA NATH CHAUDHURI: Mr. Speaker, I had no intention to take part at this stage of the debate on the Agricultural Income-tax Bill, because I was a member of the Select Committee and I thought in all propriety I should not speak either for the recommittal motion or against it. But, Sir, after having heard Mr. Rowan Hodge speak on this Bill I am tempted to put in certain remarks.

Mr. Hodge was a member of the Select Committee. He had his full say in the Select Committee; he had the fullest opportunity to place his views before the Committee and to persuade it to accept his views. Still, Sir, he comes forward to announce that he has serious grievances against the Bill as it has emerged from the Select Committee. And, Sir, he has further announced the views of the European Group on this Bill. He has observed that his Group is all for the imposition of Agricultural Income-tax, but—and that is a very big "but"—if the Bill is improved to the liking of the European Group by this House. Only in that case the fullest support of the party will be available.

Mr. C. W. MILES: On a point of order, Sir. I would wish to say that the honourable member did not make that statement correctly. The European Group reserved judgment.

Mr. SPEAKER: Order, order. That is no point of order. That is a personal explanation.

Rai HARENDRA NATH CHAUDHURI: Sir, Mr. Rowan Hodge clearly stated that he was supporting the motion for the consideration of the Bill and he also pointed out that the European Group supported the proposal for further taxation to meet expenses necessary for war purposes and arising out of the war conditions. We therefore realise, Sir, that the European Group stands for further taxation for financing those measures which have been taken for the purposes of war, yet, it will withhold its support from the Bill if the Bill is not amended to their liking. But, Sir, it is not proper, according to Mr. Rowan Hodge, for the Congress to say that they do not support this Bill and that not only because expenditure due to the war should be financed otherwise, but also having regard to the present conditions of the country. It is no matter of concern to Mr. Hodge and his group that the province is passing through famine conditions. It is a serious matter to him and his group if only reliefs are not given to those who enjoy incomes in the United Kingdom. If only those provisions which will go to relieve those who enjoy incomes in the United Kingdom are not reinstated then their loyalty to the cause, their anxiety to finance the schemes which are necessitated by the war, will evaporate. They are prepared to support the Bill only if the reliefs which they are bent upon

securing are available to them. (Cries of "Hear, hear" from the Opposition benches.) This is, Sir, the loyalty of the European Group to the cause of the war effort. Everybody in this world, Sir, is primarily loyal to his own interest and the European Group is also loyal first to its own interest and then to the war. But so far as we are concerned we are passing through famine conditions. Therefore, it was legitimately said that in this condition of the country we could not favour such a large measure of taxation. Which is the more reasonable proposition—the proposition that is urged in the interests of a group or the proposition that is urged in the interests of the province and of the country? I ask the whole Assembly to consider that. (Applause from the Opposition benches.)

Mr. UPENDRA NATH EDBAR: Mr. Speaker, Sir, the deficit of the Bengal Government, as I understand, for the current year is about Rs. 7 crores and a half. We should also bear in mind in this connection that they are likely to be indebted to the Government of India to the extent of Rs. 14 crores at the end of the financial year. These figures we have got from the statement and speeches of the Hon'ble the Finance Minister, Mr. T. C. Goswami. The Bengal Ministers have not only rendered the Bengal people destitute but they have also rendered the Bengal Government bankrupt by their bungling and by playing ducks and drakes with public money at their disposal. I therefore understand that the object of introducing the Bengal Agricultural Income-tax Bill, 1943, in the Assembly is to try and meet the aforesaid huge amount of deficit of the Bengal Government. The Bengal Ministers are so very meek and docile and therefore puppet in the hands of the Central Government that they have no voice there and cannot persuade the Government at the Centre to meet the deficit in any other way than by new taxation; otherwise they could induce the Centre to give financial assistance to fill the gap and could really realise it.

As I understand, the Bengal Government were granted a huge amount of loan this year from the Centre only on the condition that they would introduce this new taxation measure to meet the deficit. So we are of opinion that they have no other alternative but to proceed with this pernicious Bill of far-reaching character simply to maintain their *gadi*, throwing into dust the best interests of the country. They are so very handicapped. What a pity! As the Bengal Agricultural Income-tax Bill seeks to impose income-tax on agricultural income derived generally from paddy and rent, we may better call this measure in short "The Bengal Paddy Tax or the Bengal Plough Tax". Paddy is the only property of the agriculturists. They live on the husked paddy and they sell it to procure other necessaries of daily life with the proceeds thereof. This article is going to be taxed under the regimé of this so-called Pakistan Ministry. I do not know how long they will remain in power to bring about the breakdown of the economic structure of the country. Bengal is overhead and ears in taxes. This new income-tax will rather be on Bengal like a last straw on the camel's back.

Nobody feels for the poor agriculturists, nobody sympathises with the sad and humble lot of the poor, but everybody easily manages to forget them when they are in power and position by dint of their best efforts and energies.

The poor agriculturists of Bengal have no means whatsoever to supply their children and members of their family with two meals a day even now. They were so badly affected by the last terrible famine. They had to sell whatever they had during the last economic distress. They have been rendered destitutes. What a pity! They are going to be taxed again this year too with an income-tax as if it has no ending.

When a country passes through accute distress and economic crisis the Government of the country should not proceed with a new Finance Bill to meet the deficit but should try to retrench the existing expenditure in all possible ways.

As regards taxable limit, the Hon'ble Finance Minister may argue that as the taxable limit shown in the original Bill has been raised from Rs. 2,000 to Rs. 3,500 by the members of the Select Committee to which it was referred it will not affect the poor agriculturists. It seems to be so on the face of it, but I regret to say, if we scrutinise the Bill, it will surely affect the poor, because even the poor agriculturists will be notified to submit returns of their agricultural income on the wrong assumption that they have gained income of Rs. 3,500 although they have really no such income. So they will be under the painful necessity to submit returns of their agricultural income or of their world agricultural income. You all know agriculturists are generally illiterate and ignorant. They do not know how to keep accounts of their income because of their utter illiteracy and ignorance. But that will not help them. They will have to attend the Income-tax courts from time to time on call from their far off hearths and homes, and thereby they will have to incur a great deal of expense in coming and going. But in the result, they will be assessed because of their keeping no regular accounts, etc., of their income derived from agriculture, as we are sometimes treated in Income-tax courts under the Central Government. So you can well imagine that it will invariably affect the poorer sections as well. Besides this, I strongly believe that the Hon'ble Finance Minister reluctantly had to raise the taxable limit but with a motive so that it may pass through with the least opposition by his supporters. Members of the Ministerial Party are so very actuated by selfish motives and personal interests that they are being guided and goaded as the Ministers in their sweet will desire. But time will surely come when they will be put before an ordeal for trial. God is over head with a sword of justice. No escape from His judgment.

If the Bill be passed either by hook or by crook into an Act it will surely be like an act of playing a doze or a trick upon the supporters of the Government, because who knows that the selfsame shameless Finance Minister will not introduce an Agricultural Income-tax (Amendment) Bill to reduce the taxable limit from Rs. 3,500 down to Rs. 1,500 or less if there is any deficit in the near future. I therefore oppose the Bill with all my might which

I have at my command and I earnestly request all other honourable members to oppose the same in the similar way so that it may not see the light of day.

With these few words I support the motion for recommittal.

Sj. NARENDRA NATH DAS GUPTA : Mr. Speaker, Sir, কৃষিজাত আয়-করের বিলটা পুনরায় Select Committeeতে প্রেরণ করার জন্য যে প্রস্তাব উপস্থাপিত হয়েছে আমি সেই সম্বন্ধে কয়েকটি কথা বলতে চাই। প্রথমতঃ কথা হলো এই বিলের উদ্দেশ্য এ নয় যে এতদ্দ্বারা বাংলার প্রকৃত হিত হবে এবং বাঙালী জাতি এই আইনের দ্বারা যে অর্থোপার্জিত হবে তার ফলে কোন উপকার লাভ করবে। যদি সেই উদ্দেশ্যই থাকতো তাহলে এই বিলের সমর্থনকল্পে আমরা সকলে একমত হতে পারিতাম। কিন্তু এ বিলের প্রধান উদ্দেশ্য হচ্ছে বাংলার শেষ রক্তটুকু নিংড়ে নিয়ে বৃটিশ সাম্রাজ্যবাদকে সন্তুষ্ট করা। এই উদ্দেশ্য নিয়েই এ-বিলটার পরিকল্পনা হয়েছে। এই বিলের পরিকল্পনার মধ্য দিয়ে কৃষকদের উপর যে কর ধার্য্যের ব্যবস্থা হয়েছে—আজকালকার দিনে ৩৫০৲ হাজার টাকা অনেক কৃষকই অপেক্ষাকৃত অল্প ধান-চাল বিক্রয় কোরে লাভ করছে। যে সমস্ত কৃষক পূর্ব্ব পূর্ব্ব বৎসর দেনার দায়ে বিব্রত ছিল, এই দুর্দ্দিনের সুবিধা নিয়ে তারা সবে একটু দাঁড়াবার ব্যবস্থা করছে। এই দুর্দ্দিনে যখন লক্ষ লক্ষ কৃষক মোরে যাচ্ছে, তখন যারা এত অভাবের সঙ্গে লড়েও কোনমতে বেঁচে আছে তাদেরই অসুবিধা করা হবে। জমিদারেরা জানেন তাঁরা কিভাবে বাঁচবেন কি না বাঁচবেন। যেরূপ আইনের পর আইন হচ্ছে, তাতে আজ নাহোক কাল তাদের অস্তিত্ব লোপ হবে। কিন্তু ওদের একটা যে ধূয়া ছিল যে আমরা যাই করি না কেন—বাংলার অসহায় কৃষকদের বাঁচাবো, এই আইনে সেই কৃষককুলকে নির্ম্মুল করার জন্য অতি চাতুরিপূর্ণ ব্যবস্থা হয়েছে? আজকে যদি গভর্ণমেণ্ট ব্যবস্থা করতে পারতেন যে এর প্রত্যেকটি পয়সা কৃষকদের জন্য আর কৃষির উন্নতির জন্য ব্যয় করা হবে তা হলে এই দুর্দ্দিনেও আমরা এই আইনের সার্থকতা বুঝতাম। কিন্তু আসল কথাটা বেরিয়েছে য়ুরোপীয় মেম্বরদের মুখ থেকে—যে যুদ্ধের জন্য টাকার দরকার, সে টাকা বাংলাকে যোগাইতেই হবে। সাম্রাজ্যবাদের ধৃষ্টতা ভব্যতার বাইরে চোলে গেছে। ভারতের জনসাধারণ একথা বলতে চায় না যে এ যুদ্ধ ভারতবাসীর যুদ্ধ। এ যুদ্ধ যদি ভারত-বাসীর যুদ্ধ হতো, তাহলে ভারতবাসীদের মত নিতে ইংরেজের এত অনিচ্ছা কেন? কংগ্রেস যখন বলেছিল সাম্রাজ্যবাদীদের "তোমরা যুদ্ধ ঘোষণা কেন করলে আমাদের মত না নিয়ে।" তখন কেন বৃটিশ সাম্রাজ্যবাদ একথা বলতে পারলেন না যে "আমরা তোমাদের মত নিচ্ছি। যদি তোমাদের ইচ্ছা হয় যোগ দিতে পার।" যে সুযোগ অন্যান্য Dominionsকে দিয়েছে সে সুযোগ ভারতবাসীদের দেবার ইচ্ছা বৃটিশ সাম্রাজ্যবাদ দেখিয়েছে কি? যদি সে সুযোগ দিতো তবে বৃটিশ গভর্ণমেণ্ট একথা বলতে পারতো যে এ যুদ্ধ ভারতবাসীর যুদ্ধ। কংগ্রেস চেয়েছিল সমস্ত ক্ষমতা ভারতীর হাতে ছেড়ে দাও তাহলে স্বাধিকারে প্রবুদ্ধ ভারতবাসী তাদের সমস্ত শক্তি-সম্পদ দিয়ে সংগ্রাম করবে—জার্ম্মাণী ও জাপানের বিরুদ্ধে। কংগ্রেস চেয়েছিল পরিপূর্ণভাবে ভারতের অর্থ, সম্পদ, শক্তি ও সাধনা দিয়ে জার্ম্মাণ ও জাপান দলের শক্তির সঙ্গে সংগ্রাম করতে। তার উত্তর কি পেয়েছে ভারতবাসীগণ, কি পেয়েছে কংগ্রেস? তার উত্তর তারা দিয়েছে, মহাত্মা গান্ধি, জহরলাল নেহরু, আবুল কালাম আজাদ প্রভৃতি নেতৃবৃন্দকে কারাগারে পাঠিয়ে। ভারতবাসী স্বাধীনভাবে তাদের শত্রুদের সঙ্গে যুদ্ধ করবে তাও ইংরেজের অসহ্য। ভারতবাসী স্বাধীনভাবে ইংরেজের পাশাপাশি দাঁড়িয়ে যুদ্ধ করবে, তা ইংরেজ চায় না। তারা চায় কি? পশুর মতন ভারতবাসীকে তারাই পরিচালনা করবে—এইটে চায়। ভারতবাসী

হবে তাদের সাম্রাজ্যরথের বাহন য়ুরোপীয়ান মেম্বর বলেছেন—বহু ভারতবাসী প্রাণ দিতেছে যুদ্ধে। হাঁ যুদ্ধের জন্য ভারতবাসী প্রাণ দিচ্ছে একথা অতীব সত্য। তার বহুগুণ ভারতবাসী প্রাণ দিচ্ছে দুর্ভিক্ষে, মহামারীতে। যারা আজ ঐ রণক্ষেত্রে গিয়েছে তারা কি ইংরেজের সাম্রাজ্যবাদকে রক্ষা করার জন্য গিয়েছে না ভারতবাসীর কোন স্বার্থ রক্ষা করবার জন্য যুদ্ধে গিয়েছে? পেটের তাড়নায় লক্ষ লক্ষ ভারতবাসী আজ নিশ্চিত দুর্ভিক্ষে সপরিবারে অনিশ্চিত মৃত্যুকে বরণ করে মরার চেয়ে যুদ্ধে গিয়েছে। কাজেই আজ ইংরেজ সাম্রাজ্যবাদ ভারতবর্ষের লক্ষ লক্ষ, কোটী কোটী লোককে ইচ্ছায় হোক, অনিচ্ছায় হোক যুদ্ধে আহুতি দিতে পারছে। তাদের ইচ্ছায় হোক, অনিচ্ছায় হোক কোটী কোটী টাকা তাদের জন্য আদায় করতে পারছে। কিন্তু সহস্র আপত্তি থাকলেও রোধ করবার সামর্থ নাই আমাদের। কিন্তু এ কি উপহাস, এ কি বিসদৃশ বিরাট উপহাস যে এই দুঃসময়েও ভারতবাসীকে সে বার বার শোনাচ্ছে —"ওগো ভারতবাসী, এ তোমাদেরই যুদ্ধ।" অত্যাচার সহ্য হয়; কিন্তু অত্যাচারী যখন উপহাস করে, সে দুঃখ একান্ত অসহ্য। কাজেই এই যে বৃটিশ সাম্রাজ্যবাদের প্রধানগণ (pointing to the European group) এই Assemblyতে উপস্থিত থেকে এই কথা বলছে সেটা আরো অসহ্য। এ যুদ্ধ ভারতবাসীর যুদ্ধ নয়—একথা যে শুধু কংগ্রেস বলছে তা নয়, যে মুসলীম লীগ বৃটিশ সাম্রাজ্যবাদের মস্ত বড় পরিপোষক, যে মুসলীম লীগ বৃটিশ সাম্রাজ্যবাদের এত প্রিয় তারা পর্য্যন্ত এ যুদ্ধকে নিজেদের যুদ্ধ বলে স্বীকার করে নাই—জানি না এই মুসলীম লীগ Ministry স্বীকার করবে কি না যে এ যুদ্ধ ওদেরি যুদ্ধ। তারাই একথার উত্তর দিবে। অবশ্য আমাদের Communist ভ্রাতারা বোলে থাকেন যে এ যুদ্ধ আমাদের যুদ্ধ। তাঁদের কথা আলাদা। "রুশকা লড়াই হামকা লড়াই"—এই যাদের বুলি, তারা বিশ্ব থেকে আলাদা বস্তু; তাদের কথা আমি বলছি না। কাজেই বর্ত্তমানে এই যে আইন প্রবর্ত্তিত হয়েছে, এ বেশ পরিষ্কারভাবেই বোঝা যাচ্ছে যে এই যুদ্ধের ব্যয়কে পরিপোষণ করার জন্যই এ আইনের উৎপত্তি। এবং এই আইনকে আরো নিন্দনীয় ও ঘৃণ্যভাবে সমস্ত জাতির ঘাড়ে চাপাবার ব্যবস্থা হচ্ছে যুদ্ধের টাকা আদায়ের জন্য। কাজেই আমি, তীব্রভাবে, এই আইনের অন্য কোন গুণ থাক বা না থাক; প্রতিবাদ করছি এবং এই আইনের অসাধু উদ্দেশ্যকে ব্যাহত করবার জন্য আপ্রাণ চেষ্টা করব।

Mr. SYED MUSTAGAWSAL HAQUE: Mr. Speaker, Sir, I wholeheartedly support the motion for the consideration of the Bengal Agricultural Income-tax Bill. I am surprised today to see that the progressive elements in this House are opposed to this taxation Bill, but they have come to this House with a different plea. Their view is that a Bill of this nature at a time when there is famine in the country will be detrimental to the interest of the people of this province: moreover this Bill is aimed at aiding war purposes and no money has been set apart for agricultural improvement in the country.

Mr. Speaker, a Bill of this nature has long been recommended by the Floud Commission, and this was the minimum demand contained in the recommendations of the Floud Commission. They also recommended the abolition of the Permanent Settlement, and if not, a measure of this type was recommended. And I am surprised today to see that the progressive elements in the country, especially the Congress, the Hindu Mahasabha and other sections of the people of this House and even the Krishak Praja

Party are opposed to this Bill on a flimsy ground that the Bill will not help the agriculturists and the agricultural improvement of the country, and it is purely with the purpose of obstructing the passage of the Bill that they want this Bill to be referred again to the Select Committee so that the Bill may not be passed this session and may be dropped automatically.

Mr. Speaker, we have had sad experience during the time of the famine that for want of funds how people have suffered; for the expansion of the nation-building departments, for the improvement of agriculture and for helping the agriculturists and poorer section of the people money must be found out, and this Bill seeks to find out money from the big people. This Bill is not going to tax the poorer section of the agricultural people but it is only going to help them by taxing the richer people, the big agriculturists and the *zemindars*, who can afford to pay the tax. Sir, I do not agree that this Bill is an unpopular Bill and will do great harm to the people of the country. I am surprised that a Bill of this nature is going to be opposed even by the Krishak Praja Party on the plea that the money to be derived from this taxation will not be spent for the agricultural improvement of the country. Sir, I think if any clause in the Bill itself is found to be obnoxious or detrimental to the interests of the people, that can be remedied by mutual agreements and I have no doubt that the Government will also agree to rectify any defect that may be found at the time of consideration of the Bill.

With these few observations, Sir, I support the consideration of the Bill and oppose the motion for recommittal of the Bill to the Select Committee.

Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I admire the frankness of the Hon'ble Minister in charge when he states in the Statement of Objects and Reasons that this Bill has been introduced simply because additional revenue was urgently needed. I am sorry he could not advance any other argument for this unjust and inequitous imposition. Sir, it has been stated by the speaker just preceding me that this Bill has been introduced in accordance with the recommendations of the Revenue Commission. Is that a correct assertion? May I remind the House that the recommendation of the Revenue Commission to introduce tax on agricultural income was made as a transitory measure only if the Government ultimately decided to purchase all the *zemindaries* of Bengal. Unfortunately, the Hon'ble Minister has made no attempt to make it clear in his statement what the policy of the present Government is with regard to the acquisition of the *zemindaries* and if they are going to follow up the declaration made by their predecessors in office. Then, Sir, it seems that all the recommendations of the Revenue Commission have not been given effect to. There is one very important recommendation and that is to grant the landholders better facility for collection. Unfortunately, the Government seems to be absolutely silent on that point. Sir, the landholders at the present moment are in a precarious position, all sorts of obstructions being put to their easy realisation of their dues. Their cost of collection has increased, and I

am sure this tax will be the last straw on the camel's back. Sir, are the fundamental principle of taxation is to tax those who are making the largest profit. But where is the increased income or increased profit which the landed interest is enjoying at the time? It is certainly not the rent-receivers. Their rents are fixed and if there are arrears it is only in that case that they will get more than their annual demand. The provision for the increase of rent with the increase of the price of paddy is no longer in operation. Under the circumstances there cannot be any justification for this class of legislation.

Sir, it may be contended that this is a legislation to prevent inflation. I am sure the result will show that it is not going to help to deflate the monitary position in any way. You are working on wrong data. You are not taking out the real surplus income. You are taxing the legitimate income of a class of people already hard hit by the inflation prevailing in the country.

Sir, it has been said that the landholders under the Permanent Settlement are in an advantageous position. It is a misnomer to call it a Permanent Settlement because there is nothing permanent about it. Since the introduction of the Permanent Settlement there have been so many successive inroads on the rights of landholders,—fresh impositions have been made in the shape of Road cess, Education cess, Embankment rates, Drainage rates and things like that,—that you can hardly call it a Permanent Settlement. And you are now proposing to impose this fresh taxation.

It has been said that the landholders did not pay any income-tax so long, but the landholders paid revenues. That is a tax good enough. How would it look if I suggest that those who did not pay revenue should pay revenue. It would be equally unfair to suggest that because we did not pay any income-tax so long we should be made to pay it now. The Agricultural Income-tax is only an additional imposition in a new name. I can show from facts and figures that the total amount already paid by landholders in the shape of revenue and cesses, etc., is in certain cases more than the income-tax paid according to the Indian Income-tax Act by persons having the same total income. It is unfortunate that the landowning community in this province is having a very unfair deal by legislations one after another enacted against their interest. I am constrained to call it a process of slow poisoning, a stabbing at the back. I would appeal to you to come forward with a just and straight forward proposal and purchase the *zemindaries* outright by paying them a fair cash price. The *zemindaries* were purchased by the present landholders or their predecessors. You have no right to devaluate them by these processes and make it at the time of purchase by Government impossible to assess or to pay a fair compensation. This is a clear case of expropriation contemplated under section 299 of Government of India Act, 1935. I will give this warning to the present Government that by these successive legislations affecting the Permanent Settlement they are violating the sacred pledge given by the representatives of the British Government in India. The landholders were in a minority and their feeble voice remained unheard.

Here in this House of 250 members, landholders are only five in number. I do hope that the claim of the minority will receive special consideration from the Government.

Sir, the money we require for war purposes is a legitimate charge on the Centre and I see no justification why money raised from agricultural income should be diverted for war requirements. One could have understood if the money was spent for agricultural purposes. But I am very sorry to find, Sir, that the Minister in charge is not inclined to give us that assurance and is not ear-marking it to be spent for either improvement of land or for the nation-building departments.

With these words, Sir, I support the motion for recommittal.

Mr. SPEAKER: There is some difficulty. I thought that these three amendments together with the motion for consideration would be disposed of today. In the beginning I also thought that there would be dearth of speakers. In fact, I did not get many names; I got only one name and I hoped that there would be only one speech.

Mr. ATUL KRISHNA GHOSE: It is due to the inflationery policy!

Mr. SPEAKER: Order, order. That is another matter. Just now I have got intimation to the effect that the Leader of the Opposition also wants to speak. In these circumstances, I do not think I can allow any more speeches from any group. Moreover, I have got to rise today punctually at half past six. If the Leader of the Opposition can finish his speech within this short time, well and good. If he cannot do that, then I will allow only one speaker to speak for 7 minutes and adjourn the House till Monday when, I think, the Leader of the Opposition may speak.

Mr. FAZLUR RAHMAN: Sir, on behalf of Government I should like to register our protest that the delay which is involved in this procedure is not due to any fault of Government. Government business must be done and it is not due to their fault that speakers were not forthcoming in the beginning. Too much time has already been allowed to them to decide how many speakers would speak.

Mr. SASANKA SEKHAR SANYAL: Sir, it is the fault of nobody that this matter cannot be finished today. It is the fault of the seriousness of the question and the very important points that have been raised today This shows that there should be more contributions to the question at issue.

Mr. SPEAKER: I must make myself quite clear on this point. I would not have allowed anybody else to speak if there had not been a request from the Leader of the Opposition who had attended the Assembly after a very serious illness. The Leader of the Opposition wants to make his first speech on this occasion.

Mr. FAZLUR RAHMAN: Sir, Government business is being hampered.

Mr. SPEAKER: Order, order. You have already lodged your protest. Whether Government business is being hampered or not, that is another

matter. So far as I am concerned I am doing my bit in this affair. In fact I did not like to say anything with regard to the way in which the business is being done. In the beginning on account of shortness of time I have not been able to go through the amendments. I have to go through them here and now, and if there is a mistake in this legislation, that will be a serious affair. That is why I will allow the Leader of the Opposition to make one speech in this House. There should not be any other speech on this point. Yes, Khan Bahadur.

Mr. FAZLUR RAHMAN: On a point of explanation, Sir.

Mr. SPEAKER: No explanation is necessary. Will you kindly resume your seat? I do not want to hear any explanation at this stage.

(A voice from the Opposition benches: Obey the Chair.)

Mr. FAZLUR RAHMAN: Mr. Speaker, Sir, I would like to say——

Mr. SPEAKER: Will you sit down? I have already heard you and I have given my ruling.

Mr. FAZLUR RAHMAN: On a point of order, Sir. What I want to say is that this motion should not be disposed of, because the notice of amendment was not given in time.

Mr. SPEAKER: Order, order. That is no point of order. Yes, Khan Bahadur.

Khan Bahadur Maulvi SYED MUHAMMAD AFZAL: Mr. Speaker, Sir, I rise to support the motion moved by Khan Bahadur Haji Badi Ahmed Choudhury.

Mr. SPEAKER: I hope you will not take more than five minutes.

Khan Bahadur Maulvi SYED MUHAMMAD AFZAL: All right, Sir. The recommittal motion of Khan Bahadur Haji Badi Ahmed Choudhury is very simple. I find from the Report of the Select Committee that the majority of the members had submitted notes of dissent on some clause or other. So, it is clear that if we try to consider this Bill in the House as it is now it will take a lot of time. It is in the interests of the House, therefore, that this Bill should be recommitted to the Select Committee and we must allow the members of the Select Committee another opportunity so that they may come out with unanimous recommendations.

Secondly, Sir, I say that this Bill is a very important one considering the time through which Bengal is passing today. The provisions of the Bill would certainly have been welcome, had the revenue derived from the tax been earmarked for purposes conducive to the interest of the cultivator. But we find, Sir, that if this Bill is passed, all the money, all the revenues derived from it would be spent otherwise. So, I think, Sir, that at this moment this Bill should not be considered and if it is considered it must be declared here and now by Government that the revenue would be spent exclusively in the interests of the cultivator. I know that the members supporting Government also agree with me that at the present moment the

cultivator should not be taxed any further. Why should the cultivator be compelled to pay this tax? They are not getting education, they are not getting medicines, they are not getting clothings, they are not getting food. I submit, Sir, that at the present moment the cost of cultivation has gone up abnormally and under these circumstances if they are taxed further I am sure Bengal will be turned into a graveyard. I warn Government that they must think twice before they come forward to consider this Bill in this session. I do not think that the interests of the *zemindars* will in any way be jeopardised, because there are honourable gentlemen of the European Group. So long as they are there, the interests of the *zemindars* will be always safe, because Government will extend to them their support. As Government rely on their support they must frame the clauses according to the sweet will of those gentlemen. So, I am sure the *zemindars* of Bengal need not be afraid of the clauses of the Bill; their interests will not, in any way, be jeopardised. I think that only the interests of the cultivators will be jeopardised and injured by the clauses of this Bill. So, I submit, Sir, that this Bill should be recommitted to the Select Committee for re-examination.

With these words, Sir, I support the motion for recommittal.

Adjournment.

The House was then adjourned at 6-30 p.m. till 4-45 p.m. on Friday, the 11th February, 1944, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 11th February, 1944 at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI) in the Chair, 13 Hon'ble Ministers and 178 members.

STARRED QUESTIONS

(to which oral answers were given)

Family allowance of security prisoner Mr. Sachindra Nath Banerjee.

*78. **Mr. HARIPADA CHATTOPADHYAY:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that—

(*i*) Mr. Sachindra Nath Banerjee was arrested as a security prisoner on the 9th of September, 1942, and is now in Alipore Central Jail;

(*ii*) he was the sole earning member of a family consisting of his old father, old mother, three younger brothers and a sister;

(*iii*) since his arrest his family is in distress; and

(*iv*) he sent several petitions to the Additional Deputy Secretary, Home Department, Government of Bengal, praying for a family allowance?

(*b*) If the answer to (*a*) (*iv*) is in the affirmative, is the Hon'ble Minister considering the desirability of granting him a suitable family allowance at an early date?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) Yes.

(*ii*) My information is that the security prisoner prior to his arrest used to contribute Rs.10 per month to the family consisting of eight members.

(*iii*) The family has been in distress since before his arrest.

(*iv*) He has submitted one petition.

(*b*) A family allowance of Rs.10 per month was originally granted to the prisoner from his date of arrest and this has subsequently been enhanced to Rs.15 with effect from the 1st April, 1943.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state on what basis the sum of Rs. 15 has been arrived at?

Khan Bahadur MOHAMMED ALI: The security prisoner was a clerk in Messrs. Gokul Chandra Dutt and Sons. He was supporting his family with only Rs. 10 and that was the reason why Rs. 10 was originally granted. According to the liberal policy of the present Ministry it was enhanced to Rs. 15, i.e., by 50 per cent.

Dr. NALINAKSHA SANYAL: How many persons in the family can be maintained on a liberal grant of Rs. 15 a month?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state how many members that particular gentleman has got to maintain in his family?

Khan Bahadur MOHAMMED ALI: That has been mentioned in answer (*a*)(*ii*). He has got 8 members in his family. He was actually earning Rs. 10 a month and as I said as a very special case Rs. 15 has been granted, for it is the Government's policy not to grant any allowance which is more than what a person has been earning.

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister aware of the fact that though the income of the man in those days when he was arrested was Rs. 10 yet the income of this very gentleman at the present time should have increased considerably?

Khan Bahadur MOHAMMED ALI: Not in the case of wage-earners.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether while the enquiry into his earning was made a statement of the prisoner as to his actual earning per month was taken?

Khan Bahadur MOHAMMED ALI: Investigation has been made as to the actual earnings of this prisoner.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether a statement from this particular prisoner was taken when investigation was made as to what he was earning?

Khan Bahadur MOHAMMED ALI: That was not considered necessary. He was a clerk in the employ of Messrs. Gokul Chandra Dutt and Sons.

Transfer of security prisoner Brojendra Das of Faridpur from Suri Jail.

*79. **Dr. SHARAT CHANDRA MUKHERJI:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware of the fact that—

(*i*) security prisoner Brojendra Das of Faridpur has been kept under observation in the Suri Jail T.B. Hospital;

(*ii*) last skiagram taken by X'ray showed no signs of infiltration in his lungs;

(*iii*) he is steady for a long time in his weight;

(*iv*) he is not running any temperature as well for a very long time; and

(*v*) there is apprehension of further infection from other patients and surroundings if kept there any longer?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister consider the desirability of removing him to a safer atmosphere for the safety of his life?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): The prisoner was transferred to the Suri Jail from Presidency on 6th January, 1943, for segregation and treatment. While at Suri, the

prisoner had no signs and symptoms of active tuberculosis. He was subsequently retransferred to the Presidency Jail on the 1st March, 1943, at his own request. He was later sent back to the Jail at Faridpur, his home district.

A fresh skiagram has been recently taken and the medical report confirms the fact that there are no symptoms of active tuberculosis. This skiagram, together with complete medical history, have been sent to the Jadabpur T.B. Hospital for their opinion and advice as to whether the prisoner's transfer to that hospital for treatment is necessary or advisable.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state the date when this skiagram together with complete medical history were sent to the Jadavpur T. B. Hospital?

Khan Bahadur MOHAMMED ALI: I want notice.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to tell us whether he is yet in Faridpur Jail?

Khan Bahadur MOHAMMED ALI: As I have mentioned, he has been sent back to Faridpur.

Mr. NISHITHA NATH KUNDU: Is he now in Faridpur Jail?

Khan Bahadur MOHAMMED ALI: He was sent to Faridpur Jail on the 7th May, 1943.

Mr. NISHITHA NATH KUNDU: Does the Hon'ble Minister know that he is still lodged in Faridpur Jail?

Khan Bahadur MOHAMMED ALI: I want notice. He was sent to Faridpur Jail as I said on 7th May, 1943.

Babu NARENDRA NARAYAN CHAKRAVARTI: মাননীয় মন্ত্রী মহাশয় অবগত আছেন কি সম্প্রতি তাঁকে Presidency Jailএ স্থানান্তরিত করা হয়েছে এবং ডাক্তারেরা তাঁর চিকিৎসার ব্যবস্থা করেছে এবং Hospitalএ তাঁকে পরীক্ষা করা হয়েছে?

Khan Bahadur MOHAMMED ALI: I ask for notice.

Mr. PRAMATHA RANJAN THAKUR: Will the Hon'ble Minister be pleased to state whether this prisoner was sent back to Faridpur at his own request or on the advice of the medical officer?

Khan Bahadur MOHAMMED ALI: At his own request.

Mr. NISHITHA NATH KUNDU: Is the Hon'ble Minister aware that these constant transfers from one jail to another in the present state of his health are injurious to him?

Khan Bahadur MOHAMMED ALI: That is a matter of medical opinion.

Introduction of Non-Agricultural Tenancy Bill.

***80. Mr. UPENDRA NATH BARMAN:** (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether Government intend to introduce any Non-Agricultural Tenancy Bill in the ensuing session?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Tarak Nath Mukerjea): (*a*) Yes.

(*b*) Does not arise.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state whether the Bill will be taken up during this session?

The Hon'ble Mr. TARAK NATH MUKERJEA: I hope so.

Amount sanctioned and spent for gratuitous relief in Bankura up to August, 1943.

***81. Mr. KAMAL KRISHNA ROY:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) the amount of gratuitous relief granted for the district of Bankura this year up to August last;

(*ii*) the amount spent during the period;

(*iii*) the total number of persons that received gratuitous relief;

(*iv*) the amount given per head per day; and

(*v*) the percentage of recipients in proportion to the population of the district?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) the number of deaths from starvation during the period and up to 4th September; and

(*ii*) the number and the localities of the deceased concerned?

The Hon'ble Mr. TARAK NATH MUKERJEA: (*a*) (*i*) Rs.1,10,000.

(*ii*) Over Rs.95,000.

(*iii*) About 9,200 persons daily.

(*iv*) Up to 15th July, 1943—

Adults—6 annas per head.
Children—3 annas per head.

From 16th July, 1943—

Adults—2 annas 6 pies per head.
Children—1 anna 3 pies per head.

(*v*) Up to August last gratuitous relief was distributed only in the Sadar subdivision, where the recipients were over 1 per cent. of the population of that subdivision.

(*b*) (*i*) No death due to starvation was reported. Amongst street beggars, however, there were 24 deaths.

(*ii*) The deaths occurred in Bankura Town. As all the dead bodies were unclaimed, details about their places of residence could not be ascertained.

Mr. KAMAL KRISHNA ROY: মাননীয় মন্ত্রী মহাশয় ২নং উত্তরে যে gratuitous relief ৯৫৲ হাজার টাকা খরচ হয়েছে বলেছেন, এই টাকাটা কি dole করা হয়েছিল?

The Hon'ble Mr. TARAK NATH MUKERJEA: এ টাকাটা সমস্তই gratuitous reliefএ খরচ হয়েছে এবং মাননীয় সভ্যমহোদয়ের অবগতির জন্য আরো জানাচ্ছি যে এর চেয়েও আরো বেশী টাকা খরচ হয়েছে।

Mr. KAMAL KRISHNA ROY: মাননীয় মন্ত্রী মহাশয় অনুগ্রহ করে জানাবেন কি এই ৯৫ হাজার টাকা যে gratuitous reliefএ খরচ হয়েছে এ সংবাদটা কি ভাবে পেয়েছেন?

The Hon'ble Mr. TARAK NATH MUKERJEA: গভর্ণমেণ্ট থেকে এ টাকা দেওয়া হয়েছে, এই সংবাদই সত্য।

Mr. KAMAL KRISHNA ROY: মাননীয় মন্ত্রী মহাশয় কি অবগত আছেন যে জিলা-ম্যাজিষ্ট্রেটের সঙ্গে কথাবার্ত্তার ফলে তিনি বলেছেন যে ৫০ হাজার টাকার বেশী আমাদের খরচ হয় নাই, অথচ মন্ত্রী মহাশয় ৯৫ হাজার টাকা খরচের কথা বলেছেন, বোধ হয় ঐ টাকা মঞ্জুর হয়ে থাকলেও gratuitous reliefএ খরচ হয় নাই। এ সম্বন্ধে তিনি কি আবার সন্ধান নেবেন?

The Hon'ble Mr. TARAK NATH MUKERJEA: ব্যক্তি বিশেষের সঙ্গে Collectorএর কি কথা হয়েছে সে বিষয় আমি অনবগত; তবে যদি কোন সভ্য অনুরোধ করেন গভর্ণমেণ্ট notice করতে পারেন।

Mr. KAMAL KRISHNA ROY: মন্ত্রী মহাশয় বলেছেন যে ১৫ই জুলাই পর্য্যন্ত প্রাপ্তবয়স্কদের ছয় আনা আর ছোট ছেলেদের জন্য তিন আনা দেওয়া হয়েছিল, কিন্তু ১৬ই জুলাই থেকে অর্দ্ধেক হারে দেওয়া হয়েছে এর কারণ কি?

The Hon'ble Mr. TARAK NATH ROY: আপনার প্রশ্নটা কি আমি বুঝতে পারছিনে।

Mr. KAMAL KRISHNA ROY: মাথা পিছু gratuitous relief ১৫ই জুলাই পর্য্যন্ত adultদের ছয় আনা আর childrenদের তিন আনা কিন্তু ১৬ই জুলাই থেকে adultদের দেওয়া হয়েছে মাথাপিছু দুই আনা ছয় পাই আর childrenদের দেওয়া হয়েছে এক আনা তিন পাই, এই কম দেবার কারণ কি?

The Hon'ble Mr. TARAK NATH MUKERJEA: স্থানীয় কর্ম্মচারীরা অবস্থা বুঝে ব্যবস্থা করেছেন। এ সম্বন্ধে আরও কিছু জানাবার জন্য দরকার হলে আমাকে notice দিতে হবে।

Srijut MANINDRA BHUSAN SINHA: With reference to the answer to (*b*)(*i*), namely, that no death due to starvation was reported, will the Hon'ble Minister be pleased to state what is the source of his information?

The Hon'ble Mr. TARAK NATH MUKERJEA: The local officials.

Srijut MANINDRA BHUSAN SINHA: Is it a fact that death reports which are collected by Sanitary Inspectors and sent to the Health Officers have not yet been received?

The Hon'ble Mr. TARAK NATH MUKERJEA: That is a matter which concerns the Public Health Department. I am not concerned with it.

Mr. KAMAL KRISHNA ROY: জুলাই মাসে যখন মানুষের অভাব বাড়ে এবং চালের দরও বেড়ে যায়, মন্ত্রী মহাশয় জানাবেন কি সেই সময় এটা কমানো কেন হয়েছিল?

The Hon'ble Mr. TARAK NATH MUKERJEA: জুলাই মাসে বাঁকুড়ায় চালের দর যে বেড়েছিল এটা আমার জানা নাই, notice দিলে বলতে পারি।

Mr. KAMAL KRISHNA ROY: মন্ত্রী মহাশয় কি অবগত আছেন মৃত্যু সংখ্যা সম্বন্ধে union boardগুলি হতে সংবাদ পাঠান হয়েছে সে সব মৃত্যুসংবাদ স্থানীয় কর্ম্মচারিগণ—Magistrate, S. D. O. প্রভৃতি গভর্ণমেণ্ট পাঠিয়েছেন কি?

The Hon'ble Mr. TARAK NATH MUKERJEA: এ সম্বন্ধে আমার কোন সংবাদ নাই।

Mr. KAMAL KRISHNA ROY: মাননীয় মন্ত্রী মহাশয় এ সম্বন্ধে সংবাদ নেবেন কি?

The Hon'ble Mr. TARAK NATH MUKERJEA: notice পেলে বলতে পারি।

Mr. ADWAITA KUMAR MAJI: মাননীয় মন্ত্রী মহাশয় কি অবগত আছেন ঐ জেলার সদর মহকুমায় reliefএর কাজে অনেক কিছু গলদ হয়েছে এবং সেজন্য অনেক কর্ম্মচারীকে discharge করা হয়েছে?

The Hon'ble Mr. TARAK NATH MUKERJEA: সে সম্বন্ধে আমার কোন সংবাদ নাই।

Mr. ADWAITA KUMAR MAJI: মাননীয় মন্ত্রী মহাশয় অনুগ্রহ করে সংবাদ নিয়ে সেটার যথারীতি ব্যবস্থা করবেন কি?

The Hon'ble Mr. TARAK NATH MUKERJEA: এ সম্বন্ধে আমাদের বিশেষভাবে কোন সংবাদ দিলে আমরা তাহার যথারীতি অনুসন্ধান কোরবো।

Point of Information.

Mr. NISHITHA NATH KUNDU: May I draw your attention to the rules relating to held-over questions? I submit that held-over questions should be taken up before all other questions.

Mr. SPEAKER: I will see to it.

Held-over Question.

UNSTARRED QUESTION

(answer to which was laid on the table)

Rural public health reorganisation scheme.

27. Mr. J. C. GUPTA: (*a*) Will the Hon'ble Minister in charge of the Public Health (Medical) Department be pleased to state—

(*i*) whether an expert Committee consisting of Dr. K. S. Ray, Dr. A. C. Ukil, the Director of Public Health and other representative medical men was appointed by the Bengal Provincial Branch of the Indian Medical Association in order to study the Director of Public Health's rural public health scheme (1940) and similar other schemes with a view to formulate a fairly comprehensive scheme for the reorganisation of rural medical and public health services in Bengal;

(*ii*) whether any scheme from the Bengal Branch of the Indian Medical Association was received by Government; and

(*iii*) that in this scheme provision of at least one qualified medical practitioner in every Union Board and of a modern cottage hospital with maternity clinic and facilities for bacteriological examination in every thana was considered as the minimum requirements for proper medical protection of the villages?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of putting the scheme in operation in selected areas such as the flood-affected and other distressed areas, as an experimental measure?

MINISTER in charge of the PUBLIC HEALTH DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): (*a*) Yes.

(*b*) No such proposal is yet under consideration.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what is the present position regarding the rural public health reorganisation scheme which was recommended by Colonel Chatterjee, the former Director of Public Health, Bengal?

Khan Sahib HAMIDUDDIN AHMAD: Consideration of the scheme has been deferred till the normal times come back.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what has happened to the amount of money provided in the Budget, both of the previous year as well as of the current year, for undertaking rural public health reorganisation?

Khan Sahib HAMIDUDDIN AHMAD: As the scheme has not been undertaken the money remained unexpended, and it has been diverted to other directions.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if in the opinion of the Government the necessity for improving rural public health has disappeared or has become much less important during the pendency of the war?

Khan Sahib HAMIDUDDIN AHMAD: It has become more important but as almost the whole of the province is now in the grip of epidemic, it is not possible for the Government to take up any particular scheme for the time being.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what are the measures devised or proposed to be taken up by Government to improve rural public health in substitution for the scheme that has now been postponed?

Khan Sahib HAMIDUDDIN AHMAD: Government is taking all necessary steps possible to combat epidemic.

Khan Bahadur ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state if steps have been taken to introduce the rural public health scheme in any of the subdivisions of the province?

Khan Sahib HAMIDUDDIN AHMAD: Sir, as I have already answered, in view of the fact that almost the whole province is in the grip of epidemics it is not desirable to take up the operation of the scheme in selected areas.

Khan Bahadur ABDUL WAHAB KHAN: Sir, my question was whether any of the subdivisions, say, one or two, were proposed to be taken up for introduction of rural public health reorganisation scheme by way of experiment?

Khan Sahib HAMIDUDDIN AHMAD: Yes, Sir. Two subdivisions had been selected.

Khan Bahadur ABDUL WAHAB KHAN: What has happened to that scheme?

Khan Sahib HAMIDUDDIN AHMAD: That has been postponed.

Khan Bahadur ABDUL WAHAB KHAN: In both the subdivisions?

Khan Sahib HAMIDUDDIN AHMAD: Yes, Sir.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that in the Basirhat subdivision the scheme has already been in operation for the last three years and in Serampore area at Singur and other places where the rural public health reorganisation scheme as an experimental measure is still under operation?

Khan Sahib HAMIDUDDIN AHMAD: These things do not come under any of the schemes proposed in the question.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the present Director of Public Health has prepared a modified scheme on the basis of Col. Chatterjee's scheme which he has forwarded to Government for examination?

Khan Sahib HAMIDUDDIN AHMAD: It is still under the consideration of the Government.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that there is at present a scheme under the consideration of Government duly prepared and forwarded by the Director of Public Health, why is it that the adoption of rural public health reorganisation scheme has been postponed till after the end of the war?

Khan Sahib HAMIDUDDIN AHMAD: The scheme of Col. Chatterjee and other schemes, as proposed in the question, are not under the consideration of the Government but are postponed during the duration of the war.

Dr. NALINAKSHA SANYAL: Am I to understand that even if a workable scheme is devised by the competent officers of the Government, Government is not going to give effect to that scheme till the war is over?

Mr. SPEAKER: That is a hypothetical question.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government will under no circumstances be in a position to give effect to improvements in rural public health by adoption of suitable rural public health reorganisation schemes in Bengal till the war is over?

Khan Sahib HAMIDUDDIN AHMAD: Certainly Government will undertake to give operation to any suitable scheme for improvement of the rural sanitation.

Dr. NALINAKSHA SANYAL: Before the war is over?

Khan Sahib HAMIDUDDIN AHMAD: All at once if any suitable scheme is ready.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us why the scheme under consideration is not considered as a suitable scheme by the Government?

Khan Sahib HAMIDUDDIN AHMAD: There are many factors which are to be taken into consideration by Government. There is paucity of duly qualified and trained officers.

Mr. DHIRENDRA NATH DATTA: Am I to understand that the paucity of officers is the main reason for postponing the operation of this scheme?

Khan Sahib HAMIDUDDIN AHMAD: Yes, it is one of the main factors.

Khan Bahadur ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state whether the scheme now in operation at Singur is under the rural public health scheme or any other scheme and, if so, what is that scheme?

Khan Sahib HAMIDUDDIN AHMAD: Yes, it is certainly under the Rural Public Health Department and it is a small experimental scheme.

Mr. DHIRENDRA NATH DATTA: In view of the answer that there is paucity of officers, will the Hon'ble Minister be pleased to tell us what steps Government have taken to find out suitable officers?

Khan Sahib HAMIDUDDIN AHMAD: We are taking all possible steps. We are making demands on provinces outside Bengal, we have made requests to the Government of India and we have made requests to medical associations and all other bodies that possibly can supply the Government of Bengal with suitable medical officers.

Khan Bahadur ABDUL WAHAB KHAN: Is the Hon'ble Minister aware that there was a proposal for appointing Assistant Health Officers in each district in view of the fact that District Health Officers are overworked and particularly at a time when there are epidemics all over the province? What has happened to that scheme of appointing Assistant Health Officers in each district?

Khan Sahib HAMIDUDDIN AHMAD: I want notice, but some districts have already got Assistant Health Officers.

Point of Order.

Dr. NALINAKSHA SANYAL: Sir, I rise on an important point of order. I got yesterday a notice from the Secretary to the Assembly informing me that the Bengal Secondary Education Bill Select Committee would be sitting this morning at 11——

Mr. SPEAKER: The Bengal Secondary Education Bill is not before the House and we are not discussing it.

Dr. NALINAKSHA SANYAL: The point of order is related to the conduct of this House and the Secondary Education Bill is a part of the work of this House.

Mr. SPEAKER: But it is not before this House.

Dr. NALINAKSHA SANYAL: My point of order does not necessarily or has not necessarily to be confined to matters before the House. I can talk on any matter within the rules of the Assembly which having ——

Mr. SPEAKER: I entirely differ from you. A point of order can arise only relating to matters that are before the House and that are being discussed here.

Dr. NALINAKSHA SANYAL: I submit, Sir, for your reconsideration that we are here functioning as members of the Legislature and we have several different functions to perform.

Mr. SPEAKER: I have given my ruling and the other day I requested you that if you are dissatisfied with any ruling given by me on any point, you may kindly see me in my chamber and after discussion if you are not satisfied, you may take recourse to whatever procedure you may desire.

Dr. NALINAKSHA SANYAL: I invite your attention to the fact that I submitted my representation to you as early as the 13th December and I also reminded you——

Mr. SPEAKER: That is another matter altogether. You can make your submission when the matter comes up before the House.

Rai HARENDRA NATH CHAUDHURI: On a point of order, Sir. Is it your ruling that points of orders can only be raised with reference to a matter which is being transacted or which is before the House? In that case, what is your ruling going to be in respect of those matters over which the House has seisin but which may not be now before the House on the list of business but still they are matters over which the House has seisin? In respect of those matters cannot points of order be raised in this House?

Mr. SPEAKER: Mr. Rai Chaudhuri, as far as I can see and as I understand, points of order can arise only with regard to deliberations in the House. A matter not before the House or about which there is going to be no discussion whatsoever is a matter which is not under the consideration of the Speaker or of the House for the time being and as I understand the meaning of the expression "point of order", I think no question of any point of order can possibly arise in a circumstance like that.

Dr. NALINAKSHA SANYAL: Under which rule, Sir?

Mr. SPEAKER: I am not called upon to cite at every instance a rule.

Dr. NALINAKSHA SANYAL: On one instance please.

Mr. SPEAKER: That is the general principle.

Mr. ATUL KRISHNA GHOSE: On a point of order, Sir. আপনি যে কথা বলেছেন তাতে যেন মনে হয়—আজকে যে জিনিষ আমরা আলোচনা করছি সেই আলোচনার গণ্ডীর মধ্যে যদি কোন point of order থাকে তাহলে সেইটা আমরা আপনার

কাছে নিবেদন করতে পারবো। কিন্তু ধরুন পরশুদিন যে programme আছে সেটা rules and regulationএর সঙ্গে consistent নয়, একথা পরশু বল্‌লে কোন লাভ হবে না, সে বিষয় যদি আপনার কাছে নিবেদন করি সেটা point of order হবে কি না ?

Mr. SPEAKER: Points of order, as I have already said, must relate to the subject matter for discussion for the time being before the House.

Point of Privilege.

Mr. CHARU CHANDRA ROY: On a point of privilege, Sir. Yesterday I submitted before you the dearth of questions in this House. Many questions of the last session and the session before last are remaining unanswered. Still we are getting two questions a day and today it has improved and four questions have been put. Sir, I drew your attention to this yesterday and I also draw your attention to it today.

Mr. SPEAKER: The practice, as you all know, has been that questions and replies to questions, as they are received in this office, are printed and laid on the table. Just now I enquired of the Secretary to the Legislative Assembly as to whether there is any answer pending in the Legislative Assembly Department which has not been placed before this House. The answer is that there is no answer pending. As to the other point which you have sought to raise is that a large number of questions are pending. According to the practice now prevailing, that sort of thing will go on for some time unless and until we come to a definite, fixed and settled principle or procedure whereby questions may be brought up before the House within a certain definite time. I have already told you that I am taking steps for it and I hope that in course of the next week I shall be in a position to hold a conference of the Leaders and, if necessary, also of the Whips of the different parties to come to a definite decision on this point.

Dr. NALINAKSHA SANYAL: Sir, can we have a date? We have been hearing it from the last session.

Mr. SPEAKER: I quite agree, but I have got to look into many matters. I will have it next week.

Mr. SURENDRA NATH BISWAS: On a point of information, Sir. While considering the question just now referred to, will you consider whether it is the privilege of the members to get answers to the questions tabled or it is the privilege of Government to reply to the questions?

Mr. SPEAKER: Every aspect of the question will be considered.

Enquiry about adjournment motion.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, may I know what has happened to your researches on the point relating to the adjournment motion of Dr. Syamaprasad Mookerjee?

Mr. SPEAKER: That is still under examination. You will hear about it on Monday.

The Hon'ble Mr. H. S. SUHRAWARDY: I would only request you that on Monday it may not be moved, because in all probability I shall not be in this House on that day.

Mr. ATUL KRISHNA GHOSE: On a point of order, Sir. How can a matter which will arise on Monday be discussed today?

Mr. SPEAKER: The Hon'ble Minister was perfectly entitled to ask the question. Yesterday, you will remember, Dr. Syamaprasad Mookerjee sent an adjournment motion to the House. I said "I will make an enquiry into the matter", and the Hon'ble Minister enquired whether that enquiry was complete.

Rai HARENDRA NATH CHAUDHURI: He used the word "researches" and not "enquiry".

Dr. NALINAKSHA SANYAL: That was a reflection on the Chair. This also could have been done in your Chamber and not in this House. May we also follow up that question? You have allowed one Minister in this House to ask a question.

The Hon'ble Mr. H. S. SUHRAWARDY: That was in respect of a matter which came up in the House yesterday.

Dr. NALINAKSHA SANYAL: But which is not before the House now.

The Hon'ble Mr. H. S. SUHRAWARDY: I say it is before the House now.

Mr. SPEAKER: Will you kindly resume your seat? Dr. Sanyal knows it perfectly well that everything cannot be covered by rules. The rules, therefore, have given certain discretion to the Speaker for the purpose of conducting meetings or deliberations of this House. He has got to exercise his discretion as and when occasions arise. I thought that it was only natural for a Minister or for every other member of this House to expect that in an adjournment motion, enquiry should be completed as quickly as possible. Therefore, I did not think it in any way wrong on the part of the Hon'ble Minister or I would not have considered it in any way wrong on the part of any other member to ask me as to whether the enquiry was complete, but certainly the expression "researches" was objectionable. (Cries of "hear, hear" from the Opposition Benches.)

The Hon'ble Mr. H. S. SUHRAWARDY: I admit Sir, it is objectionable. I meant enquiry.

Mr. FAZLUR RAHMAN: May I know when the decision on that is expected?

Mr. SPEAKER: I told the Hon'ble Minister "we will meet next on Monday and I will give the results of my enquiry into this matter on that day," but the Hon'ble Minister has said that in all probability he will not be in the House and therefore the adjournment motion might not be moved on that day. That is a matter which will be considered on Monday.

The Hon'ble Mr. Khwaja SHAHABUDDIN: Sir, I would respectfully submit to you that the rules regarding adjournment motion require that it should be taken up as quickly as possible, and when it was not taken up

on the first day, it ought to have been taken up on the second day, that is today. What I want to say is that a very important Government legislation is going on——

Mr. SPEAKER: Will you kindly resume your seat? I have not said that the adjournment motion will be moved on that day. I have said that the question as to what steps will be taken will be considered on that day.

The Hon'ble Mr. H. S. SUHRAWARDY: True, Sir. But my submission is that Dr. Syamaprasad Mookerjee should have asked you about the results of your enquiry today if he was anxious to move the adjournment motion. As he has not asked you about the results of the enquiry immediately after the question time, my submission to you is that the adjournment motion has lapsed.

Mr. SPEAKER: As to that I say that Dr. Syamaprasad Mookerjee enquired of me whether the enquiry was complete and I informed him that it was still under examination.

The Hon'ble Mr. H. S. SUHRAWARDY: Then certainly I withdraw my remarks.

Dr. NALINAKSHA SANYAL: Sir, shall I be in order to enquire whether we as members of this Assembly would be in order to sign a supposed *ad interim* Select Committee Report that had never met at all. I have before me one such report. (Uproar.)

Mr. SPEAKER: Order, order. It is your option to sign it or not to sign it.

Dr. NALINAKSHA SANYAL: My question is whether I shall be in order.

Mr. SPEAKER: I am not going to answer any hypothetical question.

Dr. NALINAKSHA SANYAL: Sir, practical facts are there. Government is trying to regularise certain irregularities.

Mr. SPEAKER: You can raise a point of order when the subject will be taken up.

Dr. NALINAKSHA SANYAL: Then already it will be a *fait accompli*.

NON-OFFICIAL RESOLUTION.

Mr. NISHITHA NATH KUNDU: Sir, I should like to speak a few words in respect of the resolution moved by my friend Mr. Adwaita Kumar Maji—resolution which demands of Government the fixation of minimum prices of rice, paddy and jute in comparison with the prices of other commodities. It is really astounding that Government should be aroused from their slumber in an important matter like this by a resolution of this nature. Government ought to have fixed minimum prices for all these commodities along with fixing the maximum prices for them. Sir, we hear from the Ministers and their supporters that this Government stand for the people and for the masses. Who does not know that the fixation of minimum

price is mostly concerned with the producers and the masses? If Government do not think it necessary to fix the minimum prices for these commodities, they cannot claim to represent the masses and the people. Sir, for the information of the Minister of Civil Supplies I will quote the prices of paddy and rice in important markets in the district of Dinajpur. On the 1st of February in the Haripur market paddy was sold at a price between Rs. 4-8 and Rs. 5-8 and rice between Rs. 8-12 and Rs. 10. In Bindal *hat* in the Sadar subdivision on the 5th February paddy was sold at a price between Rs. 4-8 and Rs. 5-8 and rice at Rs. 9-8 and Rs. 10-8. In another *hat* in Fakirganj on the 3rd February paddy was sold at a price between Rs. 4 and Rs. 5 and rice between Rs. 8-12 and Rs. 9-8. In Dinajpur town on 6th February paddy was sold at Rs. 6-10 and rice at Rs. 11-14. From a scrutiny of prices it would be at once evident that prices of these commodities fell down far below the equitable price that the producers should get. Sir, we also know that poorer sections of the producers sell their commodities between the Bengali months of Magh and Chaitra. We have read in the papers a statement recently made by the Civil Supplies Minister that he was thinking of fixing a minimum price for rice and paddy. But we do not know when he will actually do so. Fixation of minimum price is not only important but the immediate fixation of price is what we are concerned with and what is important; for if the poorer section of the masses will sell all their commodity before this minimum price is fixed they will not get any benefit out of such fixation. I draw the pointed attention of Government, if they are in a mood to really help the poorer section of the masses, to immediately fix the minimum price.

The next question that arises is this: What should be the minimum price? In considering this minimum price we have to take into account last year's conditions. We all know that the poorer section of the people took loans of paddy and executed bonds not for paddy but for money. The value of the paddy was entered into the handnotes or bonds. If they took loan of one maund of paddy they executed a handnote or bond for Rs. 20. Now, if they sell paddy at Rs. 4-8 or at Rs. 5-8 they will have to sell about 4 or 5 maunds of paddy for repaying the loan incurred on account of 1 maund of paddy. Then, in comparison with the abnormally high prices of other commodities they will lose a great deal if the minimum price is not fixed at a considerably high level.

Then, there is another question. The wages and labour charges have very considerably increased. The production cost of one maund of paddy under the modest calculation will amount to about Rs. 3 or Rs. 3½. It will vary according to the various positions in different districts. In my district it will not be less than Rs. 3 or more than Rs. 4. Considering all these factors, in my opinion, the minimum price for paddy ought to be fixed between Rs. 8 and Rs. 9. So what they are getting now is almost half of what they should get.

The next question that arises is that from our bitter experience of the past we have seen that though maximum prices for these commodities had been fixed nobody could get them at those prices. The market prices went

up even ten times higher in certain districts and places. So we must say, and the Government have admitted, that they have failed to implement their policy regarding prices of commodities. In making statements about the *aman* paddy procurement scheme they, times without number, admitted that they had lost the confidence of the people. Now they are trying to regain that confidence. But this is not the way in which they can regain the confidence. If they really want to regain the confidence they must do something practical. Only these control prices become a matter for record in the papers. We do not gain anything by them. There must be a machinery set up by Government which could effectively give effect to this policy. But this requires thoroughly honest and efficient staff which, I am sorry to say, the Government are badly in need of.

Then again, the fixation of price is really an artificial thing which is a kind of innovation by the Government to meet the peculiar situation in the country. So, extra care is necessary for implementing these matters by the Government. We have seen in our districts that the arrangements that have been made by Government up till now are very inadequate, for example the maximum price for paddy has been fixed today at Rs. 8 or Rs. 8-4 for the cultivators and the dealers. Now the paddy is really bought by the chief agents between Rs. 4-8 and Rs. 6. What are these chief agents doing? They are not directly buying from the producer. They are buying either from the mill owner or some other middlemen. In paying up the price for the paddy they are obtaining receipts from the sellers or the millowners at the maximum price fixed though actually they are paying lower than that. Now the margin that remains is always divided between the mill owner and the chief agent. So by these rates the producers are not gaining anything, consumers are not gaining anything, Government are not gaining anything, the only people who are gaining are the chief agents and the mill owners. Some steps must be taken to remedy these things.

Then again, Sir, the purchasers including the middlemen are purchasing paddy and demanding one seer in excess per maund wheih is called in our district *dhalta* or *nagar*. It is a kind of *abwab* that they are charging—including the chief agents. This is the complaint that I am making to the Civil Supplies Minister and I draw his pointed attention so that he might at once enquire into the matter and stop the chief agents from exacting this one seer of paddy which is called *dhalta* or *nagar* from the sellers.

Sir, there are various other matters about which I wanted to say, but I will not take up any more time of the House because I have given ample information to the Civil Suplies Minister and if he is serious and willing to help the poorer section he can do it immediately.

Mr. DHIRENDRA NATH SEN: Mr. Speaker, Sir, as I rise to speak in support of the resolution moved by my honourable friend, Mr. Maji, I would like to draw the attention of the House to the present abnormal rise in the costs of living. Although no cost of living index prepared on a scientific basis is maintained by the Government of Bengal, yet some idea can be formed from the index number of Calcutta wholesale prices, however rough they may be. The index number of wholesale prices in Calcutta for

all commodities in December last stood at 301 points as compared with 100 points in August, 1939, i.e., just on the eve of the war. Thus it will be found that the costs of living have increased at least three-fold. Government of India are no doubt desperately trying to check this rising spiral of prices but all their efforts would produce hardly satisfactory results so long as they continue their present policy of finding rupee finance for all war purchases by issue of notes against fast accumulating sterling resources. So this rise in the costs of living has to be faced. Bengal is still suffering from the aftereffects of the famine. The condition of the masses is quite deplorable, and anybody going around the interior of the districts would find heart-rending scenes there. The economy of the province is still pre-dominantly agricultural, no less than 80 per cent. of the total population deriving their sustenance from agriculture. Agriculture forms the principal means of livelihood of these people. So, in the interest of the welfare of the province, it is necessary that agriculture must be remunerative. That is, prices of the main agricultural produce grown in Bengal, i.e., paddy and jute, should be such as would enable the cultivators to purchase their other necessities of life, by the sale of the their paddy and jute. Just as I deprecate sky-rocketting prices, so also I am averse to prices that may prove unremunerative to the growers. Thus just as it is necessary to fix ceiling prices, so also it is equally necessary to provide a "floor to prices". That is, maximum as well as minimum prices have to be fixed. The Government have fixed maximum prices of paddy and rice in the districts at which agriculturist may sell at Rs. 8 and Rs. 13-4, respectively, but they have not fixed the minimum price. The Government have appointed four chief agents for the purpose of the procurement of the *aman* crop and specific districts have been placed in their charge. They are thus in the position of monopolistic buyers who can depress prices as they like, by holding out from making purchases for some time. As the holding power of Bengal agriculturist is proverbially low, they have to dispose of their produce at the earliest offer coming from purchasers, so that they may secure their other necessaries of life like cloths, oil, salt, etc. Thus it is essential that the Government fix a guaranteed minimum price for paddy for the cultivators. This price should then be given the widest possible currency so that they might not be mulcted of their legitimate price. Reports received from various parts of the province go to show that the costs of cultivation and harvesting this year have been very high. The present prices of the agriculturists' other necessities of life have also gone up considerably. The minimum price of paddy should, therefore, be fixed with an eye to these two considerations.

In the case of jute although both minimum and maximum prices have been fixed by the Government of India, there is a snag in it. These prices have been fixed on the basis of Rs. 15 and Rs. 17 as minimum and maximum for Indian *jat* middle which forms only about 20 per cent of the total crop. But as there is no standard for jute grades, who is to determine quality? Will the buyer do it? What is there to prevent the buyer to regard top quality jute as *jat* middle and *jat* middle quality as bottom grade and pay lower price accordingly? Hence it is my apprehension that this price

fixation would hardly benefit the grower. To be quite effective, it is essential that prices, both minimum and maximum for all grades, top, middle and bottom,—should be fixed by the Government.

With these words, Sir, I support the resolution.

Maulvi ABDUL LATIF BISWAS: Sir, I stand to oppose the motion. I oppose this resolution not because I do not like that the minimum prices of the commodities are to be fixed but because I think that this is not the proper time when the fixation of the minimum price of rice and paddy is possible. At the outset, Sir, I should say that Government have taken steps to fix the minimum and maximum prices of jute. So far as paddy and rice are concerned, I have already said that this is not the opportune time to fix the minimum price. We all remember very vividly that we have passed through a very critical time when thousands and thousands of people have died for want of proper food, because many of the poor people could not get money to procure food as the price was abnormally high. For that reason the poorer section of the people have been affected very badly and many have lost their lives. Sir, I think the proper time for bringing a resolution for the fixation of the minimum price would be the time when the commodity does not bring in an economic price. The prices of rice and paddy ran so high that we clamoured for lowering down the prices and the Opposition were also clamouring that Government did not take steps to bring down the prices. Even the other day we heard from the Opposition that the prices of rice and paddy were very high in every district, but to my utter surprise today I hear from my friend Mr. Nishitha Nath Kundu that the price is far below the equitable price. I am not surprised that they will say what will suit them: they will only make such statement that will be convenient for them to put Government to discredit though very unjustly. My friend Mr. Nishitha Nath Kundu has also said that as the Government is not going to fix the minimum price, it shows that Government do not represent the poorer section of the people. I do not know if he wants the Government to push up the prices. It may be said, that it is in the interest of the poorer section of the people that prices should be brought down to a lower limit. Still, Sir, the price everywhere is far above the economic level. That is why I say that this is not the proper time to fix the minimum price.

Sir, I say that the resolution has been brought not from any real motive which will be beneficial to the interests of the people. Had it been so the resolution would have said very clearly that not only the fixation of the minimum price was necessary but also the fixation of the maximum price is a real need. The fixation of the minimum price at a time when the price was coming down, and as it is still far above the economic level, would mean the arrest of the price from coming down to a proper level.

Now, Sir, we are hearing from the Opposition that the cost of cultivation is very high, and we are also hearing from them that the minimum price should be fixed. But when the question will arise whether the prices of the commodities are sufficiently within the means of the people to purchase, they

will say that the Government are not taking steps to lower the prices. This is the maxim of the Opposition and they will say what will suit them at the time when they are speaking.

Sir, considering all these facts it appears quite clear that this is not the time to fix the minimum price. But if the price goes far below the economic price or shows a tendency to go below that economic level, then and then only Government should be asked to fix the minimum price.

Mr. SURENDRA NATH BISWAS: Mr. Chairman, Sir, I am very sorry that I have risen to speak in a different strain from that of my friends Mr. Nishitha Nath Kundu and Mr. Sen. I do not think that anybody in this House can today make out a case for raising the prices of paddy and rice. I am sorry that Mr. Kundu and Mr. Sen did not speak on behalf of the poor people who have been very much affected by the prevailing prices of rice and paddy and also by the higher prices which ruled during the last rains and thereafter. Sir, who does not know that the price of rice rose up to Rs. 80 per maund and the price of paddy rose also up to Rs. 40 per maund? There was a cry all over the province to pull down the price because the poor people were dying.

Sir, a labourer's wage is not more than one rupee in any district and I think in many districts the wage is very much lower than one rupee. I can speak on behalf of the poor people in my district. There in my district the wages of a labourer do not exceed more than 12 annas per day. That being the position I cannot imagine that any member can rise today to say that the minimum prices of paddy and rice should be fixed at a high rate. Sir, things have come to such a pass that even if the price of rice be fixed at Rs. 5 today, then also I think millions of our people will not be able to purchase rice at that price. Then, take the case of the very large number of people belonging to the middle class whose average income would not be more than Rs. 50 per month. They are not being able to make their both ends meet today. If they have got to purchase three maunds of rice today they do not find means to purchase the same. What have they done so long? You, Mr. Chairman, know that the middle class people and the poor agriculturists and labourers have exhausted all their resources during the last year to buy their necessaries of life, to buy simply food and cloth, and today they are absolutely destitute of any resources. Where can they get money from to purchase rice today at a high price? In these circumstances, Sir, I believe my friends will reconsider the view they have taken and not press their motion for raising the price.

Sir, the whole world today is in the grip of the demon of destruction. Well, in Bengal the demon of destruction has appeared in the shape of famine and pestilence. What is the real cause of the pestilence today? Why are cholera, malaria and pox taking heavy tolls every day in this province? What is the main cause? The main cause has been insufficient food, malnutrition and want of nutrition and consequent loss of the power of resistance. That is the main cause why the poorer people are dying in millions today of malaria, cholera and pox. So is it fair for us to ask the Government today to raise the prices of paddy and rice? On the other hand,

should we not tell the Government, "You put down the price to such a level that the poorer sections can purchase rice within the limits of their means." Besides, I think, Sir, we should all cry to Government, "If you cannot keep down the price to such a level, you better raise funds—no matter if they rise up to crores and crores—to supply cheap food to the poorer sections of the people of this province." I most earnestly and most sincerely beg of the Hon'ble Minister to consider the question as to whether he should devise means to supply cheap food to our people. If he seriously considers the real position of the poorer people who form not less than 60 per cent. of the population of our province he should certainly come to the conclusion that somehow or other, whether by lowering down the price of paddy or rice or by devising some other means, he should make rice available to the poorer section of our people.

Sir, it bleeds everybody's heart to find that our own people, our own kith and kin are dying of starvation. Even today the price of rice in many places of my district is varying between Rs. 18 and Rs. 22. I cannot imagine how people of my district are living. Sir, I am getting letters every day saying, "We cannot tolerate this position any longer and we are dying. How long shall we remain in this situation?" When I get letters carrying such information I feel myself absolutely helpless and at once I think that I should rush to the Civil Supplies Minister and implore him to make immediate arrangements so that the poor people of the province may get their food with their small means. With all seriousness, I request the Hon'ble Minister to consider this question. Then, Sir, if my friends are convinced that in some places within the province the price of paddy has fallen so low that it is absolutely uneconomic for the agriculturist to sell it, then let the price of paddy or rice be raised there to a certain limit. I do not object to that, but what I want is that the price should be so fixed that the poorer people can purchase rice, and for the matter of that a labourer with a wage of one rupee can purchase three seers of rice for himself and his family every day. Where the price is higher than that level the price should be so lowered down——

The Hon'ble Mr. H. S. SUHRAWARDY: That is Rs. 13-5.

Mr. SURENDRA NATH BISWAS: If he has to purchase rice at five annas a seer, then how will he get the other necessities of life, such as oil, cloth, salt, etc. Please consider that question.

Then again, I request him also to consider the question whether it is not possible for the Government—when the Government says that it spent crores of rupees to supply cheap ration to the people—to make some arrangement right from now to supply rice to the people at an approachable price. That is a matter seriously to be considered. If the price today is so high in many parts of the province, then just imagine how high the price will rise during the latter half of the year.

Sir, the price control order was not obeyed anywhere in the province during the latter half of the last year. Government controlled the price of rice at Rs. 20 per maund. I plead guilty that I contravened that Control Order. I had to purchase rice at the rate of Rs. 1-5 per seer because I

needed some rice to distribute among some of my people but I could not get rice at less than Rs. 1-5 per seer and I had to purchase at that price. I approached the dealers and told them that the Government price was eight annas a seer and they should not charge a higher price. They said that I would have to purchase at the market rate and that was the market rate then although the Price Control Order was in force. What I submit, Sir, is, that the people who sell rice in the rural area do not obey the Price Control Order. I shall, therefore, ask the Hon'ble Minister to note—your control order will not be obeyed by the agriculturists or the dealers. You take that to be a fact and at the same time approach the question with a broad heart as to how you will enable the poor people to purchase rice within their means. Start an organisation to store rice in every union and fix its price at a very low rate for the poorer section of the people, so that they may get rice at a cheap rate in their respective unions. If you cannot do that, I am afraid, you won't be able to solve the problem. You have heard about the large number of deaths due to starvation in the province last year. But during the next year you will hear that hundred times that number will die because they will not find means to purchase rice. That is the situation which, I am afraid, will arise very soon. So, Sir, with all the earnestness and seriousness I appeal to the members on my opposite to press the Government, if the Government does not agree to take such steps, so that the poor people whom they profess to represent here may get their food right from now. I further submit, Sir, that food is not yet short. There is enough food. It may not be sufficient to supply the requirements of the people of the province throughout the year, but food is there and will be there for many months from now. How is it, Sir, that when the people have lost all their resources during the last year to find food, that they should not get food which is available near their very door but which they cannot purchase at the prices now prevailing. That is a thing which the Hon'ble Minister should take serious note of.

With these words, Sir, I resume my seat.

Dr. NALINAKSHA SANYAL: Sir, I beg to move a closure.

Mr. CHAIRMAN (Mr. K. S. Roy): Mr. Mridha will speak now. After that I will call upon the Hon'ble Minister.

Maulvi AHMED ALI MRIDHA: Mr. Speaker, Sir, I have heard with patience my old friend Mr. Biswas's speech and I must now sing a Persian couplet—

در کوی نیکنامی مارا گزر ندادند

ای شیخ پاکدامن معذور دار مارا

That is, you poor friends, have not a word of grace for us. Therefore, you old friend, let us alone and leave us. You are not worthy to be attended to. The other day we heard you glibly talking on the problem of food just to have the maximum price settled at a low rate, so that you could have food for the people at a price which was sufficiently low and which was fixed for ever and could not be increased any more. And today, Sir, this resolution seeks to have the minimum price settled for food articles. These

two probably do not coincide—the one goes against the other. You have the minimum and you cannot go below that and you have the maximum; that means you cannot rise above that, and for that this resolution seeks to provide for a price below which you cannot go. That being the position, what Mr. Biswas said fell outside the scope of the discussions that were held, a few days before and for that I pity him. Mr. Biswas started his speech with inconsistency. He was talking something about giving food to the poorer section of the people at low rates. For that he was pleading that the price should be lowered and kept at such a standard that it can be within the power of everybody to procure food for himself. Now, Sir, we say that in this country there are two classes of people, namely, producer and consumer. So far as the foodgrains are concerned, it is the cultivator who produces them. There are other people who are not producers and they consume the food articles. It is the interest of the cultivator surely to have a good price for the articles he produces and it is the interest of the consumer to see that the article is sold at a low price, so that he can be fed well at a lesser cost. Then again we see in our midst people who are traders. Traders are of two classes, namely, gentlemen traders and traders who are black-marketers and hoarders. Sir, all these things come up for consideration when we discuss the present market position and the food problem in the province. In the past we noticed that black-marketers caused a havoc in the country and as a result people starved and died in hundreds, in thousands and in lakhs. Even the iron hand of Mr. Suhrawardy could not save our people from the greediness of these uncharitable people. They had no mercy, they were without any clemency for our people; they were unkind. They were so numerous, they were so powerful that they could not be checked at all. Every effort was made to check the black-marketers but this could not be done. And now are we going to create a situation today in which the black-marketers will be able to play their part again amongst the unsuspecting village folk? It is a matter for consideration for the Cabinet as a whole and for the Minister of Food Supply in particular. I would therefore attribute a motive to any gentleman who will be talking not in line with what is the correct thought in this matter. The correct thought to my mind would be—probably that is the only correct thought— that the producer gets something of a price which is economic and the consumer also finds that the price is such that he can purchase the article at that price. A fair price must be given to the cultivator for producing the article working day in and day out. Therefore, Sir, in order to settle a price whenever such a question has to be gone into, two questions must always be considered, namely, whether the cultivator toiled and laboured, used his capital, his land and his seed and did everything in his power to produce the article and whether he should go naked and not get anything even the necessaries of life—not even a bit of salt or chili or a piece of cloth or other articles which he requires and which he cannot procure because of the high prices. Everybody knows what are the market prices of the necessaries of life at present. A piece of cloth or rather a loin cloth cannot be procured at Rs. 6; a chaddar cannot be had at Rs. 8; a small shirt cannot be had even on Rs. 6. In this way, Sir, every article that is

necessary for a man is being sold at a high rate at present. A cultivator cannot be expected to be naked all the time; he must have due regard for the exigencies of the season and therefore he must have something of a cloth and other necessaries of life. So, the price of the article which he produces must be something which can enable him to purchase the necessaries of life. Therefore the duties of the Ministry in this respect must become very heavy. The other side of the picture is there.

Then, Sir, today what we see is that our province does not produce enough food articles. Any food that is now being grown is not sufficient for the people. In order to produce food grains abundantly, we should utilise every piece of land for growing more food. (Cries of "Grow More Jute" from the Opposition benches.) Therefore, Sir, it is necessary that in order to have more food from every piece of land available, we must encourage the cultivator to grow more food, and if the "Grow More Food" campaign is to be successful some good price has got to be given to the cultivators whom I would call the poorest. They earn only a small pittance. They are the people who are most hard hit. We must see that they do not starve. In order that they may not starve, they must be given a good price. It is certainly not the proposition to have a lower price. The tendency at present is for the price to go down. Let us see how far down it goes. Then it is for Government to make the purchases or to raise the price up or to take some other steps. It would be for the Hon'ble Minister and not for the Opposition to keep a watch over the price level and do the needful.

(At this stage the member having reached the time-limit resumed his seat.)

Mr. ABDUR RAHMAN SIDDIQI: Sir, the measure of sincerity of the mover and his group for this resolution is the thinness of the House opposite. The lifeless manner in which the debate has been conducted on this resolution of all resolutions gives us an indication of the mind of the group that has tabled this resolution. The whole object behind it is just to make some more political capital by talking political balderdash.

Sir, the language of the resolution is defective and if we remember the various expressions that have been thrown on the floor of the House we get a truer indication of the meaning behind it. The resolution asks the Minister to go up to the Government of India and do this, that and the other while, only yesterday and the day before, we were told that the present Ministry had become a handmaid of the Government of India. Sir, it is all very well to talk of the poor man and it perhaps satisfies the intellectual and political vanity of gentlemen opposite to mention the poor man and then, if I may use that expression, deliberately stab him in the back in the interests of people who do not form the agricultural section of the population.

Conditions being what they are in Bengal, it is not the reduction of price here or the raising of price there that will bring us satisfaction. There has to be an ordered economy. We will have to take a certain definite standard percentage and on the basis of that standard we shall have to

adjust the prices of the different commodities so that the producers of rice, the producers of jute and the producers of any other edible agricultural commodity that may be necessary for the life of the people are left with a sufficient margin to buy other necessities of life. There is nothing but a jumble of words here and of thinking in a rather loose way. The mover has really put before the House a resolution which should have been debated from every angle coolly and dispassionately so that the Hon'ble Minister could have come forward and told us what plans he had made or what he and his Cabinet Colleagues have made to bring prosperity back into this land of ours. We are now in an empty House without the least enthusiasm about the poor cultivator or the much-talked of poor man. People have talked of things which were meaningless and have said them in a manner which will not take us to the goal we want to reach. May I appeal to the Hon'ble Minister in the name of the people of Bengal, the rich, the poor and the middle classes to consult experts, and not political haranguers who do not understand their own mind and do not know what they want, and evolve plans to establish parity between edible goods, parity between the prices of producers' goods and consumers' goods so that the people may not starve and may be enabled to have something left behind for a rainy day. Sir, I hope that the Hon'ble Minister will not reject the resolution altogether but will accept the spirit behind it and do what he can to help us to go forward out of the wood.

Mr. SANTOSH KUMAR BASU: Sir,——

Mr. SPEAKER: I understand that Mr. Roy, while in the Chair, has stated that he would allow only the Hon'ble Minister to speak.

Mr. SANTOSH KUMAR BASU: I submitted to Mr. Roy that I will take five minutes and I don't think that he was disagreeable to that. Having regard to some aspersions which had been cast by Mr. Siddiqi on my party, it is only necessary, it is only fair that I should be given a few minutes to state my position.

Mr. SPEAKER: Take five minutes and not more.

Mr. SANTOSH KUMAR BASU: Sir, a resolution has been moved by one member of my party and has been supported by another—a resolution which at the end of his speech Mr. Siddiqi was constrained to say should be considered and accepted, if necessary, by the Hon'ble Minister. I think, Sir, it is necessary for me to point out to the House that it was not in a spirit of party criticism or political faction that this matter was placed before the House. That is amply clear from the different kind of speech which has been made on this very resolution by another member of my party Mr. Surendra Nath Biswas who takes a deep and abiding interest in these matters. The very fact that two different points of view have been represented from these benches on this vital question goes to show that we are not approaching this question from a purely political or party point of view, and Mr. Siddiqi has only lived up to his reputation when he characterised some members who have spoken on this resolution as political haranguers. That is the kind of language in which he takes delight. He

calls this resolution in one breath political balderdash and in another asks the Hon'ble Minister that he should take this matter into his serious consideration.

Sir, Mr. Siddiqi says that those who take the name of the poor in moving or supporting such resolutions are those who stab the poor in the back. Mr. Siddiqi evidently objects to stabbing the poor in the back, because, as the champion of hoarders and capitalists in this House he believes in cutting the poor in the throat. For him to say that we have been putting up speakers who stab the poor in the back—well, I leave it to the House to judge the propriety of such an observation coming from him.

Sir, it is in a spirit of absolute fairness and impartiality that this matter has been placed before the House by my party. I trust Hon'ble Mr. Suhrawardy, the Minister in charge, will consider the different points of view placed before the House from these benches with regard to this matter. It is a matter on which it is very difficult to dogmatize either way. I do not think there is any harm in putting forward a view which would seek to secure to the producer a minimum economic price so that the cultivation and growth of paddy may not be discouraged by a low price level: At the same time Mr. Biswas was quite justified in reminding the House that the needs of the consumer should also be borne in mind. These are the two different points of view which we have placed before the House for the consideration of the House and of the Hon'ble Minister.

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. Speaker, Sir,——

Maulavi ABDUL WAHED: আমি পাড়াগাঁয়ের একজন চাষী, চাষীর ভোটেই নির্বাচিত হয়েছি। কাজেই ধান, চাউল ও পাটের নিম্নতম দর সম্বন্ধে আজকে আলোচনা হচ্ছে; সে সম্বন্ধে কয়েকটি কথা বলবার প্রয়োজন আছে। এবিষয়ে চাষীদের মনের ভাবটা যদি এই পরিষদে না বলি তাহলে আমার কর্তব্যের ত্রুটি হবে। আমাকে কিছু সময় দিন।

Mr. SPEAKER: একটু বসুন। যদি কিছু বলতে চান তাহলে বলুন।

Maulavi ABDUL WAHED: মাননীয় সভাপতি সাহেব, ধান, চাউল এবং পাটের সর্বনিম্ন দর বেঁধে দেওয়ার জন্য যে প্রস্তাব উত্থাপিত হয়েছে সে সম্বন্ধে আমি কয়েকটি কথা বলছি। বাংলার চাষী কোন দিনই ধান চাউল বিক্রী করে বেশী পয়সা পাওয়ার আশা করে নাই। এবং বর্তমান অবস্থায় চালের খরচ যখন অনেক গুণ বেড়েছে সে তুলনায় তার পয়সা পাওয়া দরকার। বরাবরই সে আশা করে এসেছে পাট বিক্রয় করে সে টাকা পাবে। কিন্তু সেই পাটের টাকাটা সাধারণতঃ বিদেশ থেকে আমদানি হয়। এই যে টাকা পাওয়ার একমাত্র জিনিষ পাট, বরাবরই এই পাটের সর্বনাশ করা হয়েছে। পাট বরাবরই মাটির দরে বিক্রয় করা হয়েছে। কবির কথায় বলতে হয় "দেশের কথা ভাব ভাইরে দেশ লুটেছে বিদেশী।" এই ভারতবর্ষকে অভারতীয় এবং বাঙ্গালীকে অবাঙ্গালী লুটছে এবং ভবিষ্যতেও লুটবার সুযোগ-সুবিধা করবার আশা রাখে। আজকে যাঁরা মন্ত্রিত্বের গদীতে বসে আছেন তাঁরা গ্রামের খবর রাখেন না। চাষের লাঙ্গলের ফালের যেখানে দাম ছিল চার পয়সা তার দাম হয়েছে ১৲ টাকা। চার পয়সার কেরোসিনের দাম হয়েছে আট আনা। তা ছাড়া নিত্য-প্রয়োজনীয় জিনিষ, যেমন লবণ প্রভৃতির দাম ১০।১২ গুণ বেড়েছে। তারা সেই দাম দিয়ে কিনছে অথচ ভারত গভর্ণমেণ্ট পাটের সর্বোচ্চ দাম

বেঁধে দিয়েছেন ১৭৲ টাকা। যখন জিনিষপত্রের দাম ১৬ গুণ বেড়ে গিয়েছে তখন পাটের দামও ১৬ গুণ বাড়িয়ে ৫৲ টাকার পাট ৮০৲ টাকায় দর নির্দ্ধারণ করা উচিত ছিল। এই রকম ব্যবস্থা হলে চাষীরা বাঁচতে পারত। আজকে চাষী যদি না বাঁচে তাহলে কেউ বাঁচবে না। যেখানে কামলার মজুরী ছিল দৈনিক ১২ পয়সা আর তিন বেলা খোরাকী, সেখানে বৃদ্ধি হয়েছে দৈনিক তিন বেলা খোরাকী ও দেড় টাকা চাষী গৃহস্থকে কামলার মজুরী দিতে হচ্ছে। যে কামলার বছরের বেতন ছিল ত্রিশ টাকা এবং তিন বেলা খোরাক দিতে হত, সেই কামলাকে বছরে দেড় শত টাকা দিতে হচ্ছে। খোরাকও দিতে হচ্ছে। আজকাল দশ টাকার বলদ ১০০৲ টাকায় কিনতে হচ্ছে। এইরকমভাবে প্রত্যেক জিনিষের দাম বৃদ্ধি পেয়েছে। এই অতিরিক্ত খরচের উপর ঋণ পরিশোধ, খাজনা ইত্যাদি দিয়ে চাষী কি করে বাঁচতে পারে? চাষী যদি না বাঁচে তবে বাংলা দেশ কি করে বাঁচবে সেটা চিন্তা করুন। বাংলার চাষী ধান চাউলে বেশী টাকা পাবার আশা করে না। তারা চায় পাটের টাকা। কাজেই পাটের দরটা এমনভাবে বেঁধে দেওয়া উচিত যাতে তারা দুপয়সা পায় এবং সংসার খরচ চালাইয়া বাঁচতে পারে। গভর্ণমেণ্টকে যখনই পাট খরিদ করার কথা বলা হয়েছে তখনই তাঁরা অচল অবস্থায় পড়েন এবং অপারগ হন। আজ কিন্তু গভর্ণমেণ্ট ধান চাউল কেনবার ব্যবস্থা করেছেন, পাটের বেলায় সে ব্যবস্থা করতে পারলেন না কেন সেই কথাটা জিজ্ঞাসা করি। আজকে যখন মন্ত্রীদের আড়াই হাজার, তিন হাজার টাকা বেতন দেওয়া সম্ভব হচ্ছে এবং মেম্বরদের বেতন বৃদ্ধি সম্বন্ধে জল্পনা কল্পনা চলছে তখন এই যুদ্ধের বাজারে চাষীরা যাতে দুইটা পয়সা পায় সেদিকে গভর্ণমেণ্ট মনোযোগ দিচ্ছেন না কেন? যে চাষী দেশের মেরুদণ্ড, যার বাঁচন-মরণের উপর সমস্ত দেশ ও জাতির বাঁচন-মরণ নির্ভর করে সেই চাষী সারা জীবন তাদের হাড়ভাঙ্গা পরিশ্রমের উপার্জিত নানাপ্রকার চাউল অতি কম দরে খাওয়াইয়াছে। আজ দৈবচক্রে ধান, চাউলের দর বাড়াতে তারা দুইটা পয়সা পাইতেছে দেখে যাঁরা কিনে খান তাঁরা হৈ চৈ আরম্ভ করেছেন, কিন্তু তারা যে এক টাকার কাপড় দশ টাকায় কিনছে এবং এই প্রকার নিত্য-প্রয়োজনীয় যাবতীয় জিনিষ দশ গুণ, কুড়ি গুণ বেশী দামে কিনছে। কামলা মজুরকে তারা দশ-বিশ গুণ হারে বেশী বেতন দিতেছে। সেই দিকেও গভর্ণমেণ্টের দৃষ্টি দেওয়া উচিত। চাষী জনসাধারণের দাবী এই যে তাদের নিত্য-প্রয়োজনীয় জিনিষের মূল্য কমাইয়া দেওয়া ও তাদের পাটের মূল্য বাড়াইয়া দেওয়া হউক, তাহলেই তারা চিরকাল কম মূল্যে ধান, চাউল খাওয়াইয়া দেশকে বাঁচাইয়া রাখিবার জন্য প্রস্তুত আছে।

Mr. B. MUKHERJEE: মাননীয় Speaker মহোদয়, আমি অত্যন্ত সাধারণভাবে বলছি এই resolutionএ সমস্ত চাষীর সঙ্গে সঙ্গে সমস্ত লোকের দাবী যে সূচিত হয়েছে এ সম্বন্ধে আমার মনে হয় এই houseএ কোন প্রকার মতদ্বৈধ নেই। এই বছরের প্রথম দিকটায় দেখা গিয়াছিল যে অত্যন্ত বেশী ফসল হয়েছে এবং তদনুসারে গভর্ণমেণ্টের পক্ষে অত্যন্ত আনন্দের বিষয় হয়েছিল এই ভেবে যে তাঁরা crisis পেরিয়ে এসেছেন এবং জিনিসপত্র, ধান চাউলের দর কমে আসবে। অতএব আমরা যদি আজ কোন একটা minimum দর স্থির করতে চাই তাহলে পর এমন একটা যায়গায় স্থির করতে হবে যাতে করে দাম অত্যন্ত বেশী কমে না যায়। যদি ৯৲।১০৲ টাকা minimum দর স্থির করা যায় তাহলে বুঝতে হবে দর ৪৲।৫৲ টাকায় নেমে যাবার সম্ভাবনা আছে। তখন গ্রাহক আপত্তি করবে হঠাৎ minimum দর কেন স্থির করা হল। দর আরও কমতে দেওয়া হউক। গভর্ণমেণ্টও কোন প্রকার দর স্থির করার প্রয়োজনীয়তা বোধ করলেন না। ফলে কৃষকদের ভেতর যারা সবচেয়ে দরিদ্র, যারা

ভূমিহীন ভাগ-চাষী এবং যে সমস্ত অঞ্চলে অত্যন্ত বেশী দুর্ভিক্ষ হয়েছিল সেই সব অঞ্চলের অত্যন্ত দুঃস্থ কৃষক, তারা ধান বাজারে আনতে বাধ্য হয়েছিল এবং সেই ধান ৪৲।৫৲ টাকা মণে বিক্রীত হয়েছে। যে সময়ে গভর্ণমেণ্টের দেখা একান্ত প্রয়োজন ছিল যে যাদের দুর্ভিক্ষের ফলে সর্ব্ব নাশ হয়েছে, তারা তাদের সামান্য ধান থেকে কিছু পায়, ঠিক সেই সময় গভর্ণমেণ্টের নীতি হল—আমরা কোন রকম দর বেঁধে দিচ্ছি না, দর কমে আসলে আমরা কিনতে সুরু করব যাতে দর ওপরের দিকে যায়। এর ফলে দেখা গেল ঐ সমস্ত অঞ্চলে ধান চাউল অত্যন্ত অল্প মূলে বিক্রয় হয়ে গেল। তারপর হঠাৎ দেখা গেল ধান চাউলের দর বাড়তে আরম্ভ হয়েছে। আজকে হয়ত যারা ক্রেতা তাদের দিক থেকে দাবী আসছে ধান চাউলের দর বেঁধে দেওয়া হউক। শতকরা ৫ বা ১০ জন কৃষক ছাড়া বাংলার সমস্ত কৃষক এবং জনসাধারণের দিক থেকে এই দাবী অবশ্যম্ভাবী যে দর কমিয়ে দেওয়া হউক। আজ সর্ব্বত্র কথা ছড়িয়ে পড়েছে যে দুর্ভিক্ষের ভেতর থেকে বাংলা দেশ বেরিয়ে এসেছে। কিন্তু আমি বলব যেখানে চাউলের মণ ২৪৲।২৫৲ টাকা সে দেশ দুর্ভিক্ষের ভেতর থেকে বেরোয়নি। আজ বাংলায় সম্পূর্ণ ভাবে দুর্ভিক্ষ রয়েছে। অবশ্য যারা ২৪৲।২৫৲ টাকা মণে চাউল কিনতে সক্ষম তারা এবং যে সমস্ত কৃষকের ঘরে ৫।৬ মাসের খোরাক মজুদ আছে তারা দুর্ভিক্ষের মধ্যে নেই। কিন্তু দু এক মাস পরেই দেখা যাবে অনেকেরই খোরাক ফুরিয়ে গেছে এবং বাংলার আপামর জনসাধারণ দুর্ভিক্ষের মধ্যে এসে পড়েছে। এই অবস্থায় গভর্ণমেণ্টের পক্ষে একান্ত প্রয়োজন উঁচু এবং নীচু দর বেঁধে দেওয়া পরিষ্কার করে। এ বিষয়ে কেন্দ্রীয় সরকারের অভিমত—বাংলার মফঃস্বল অঞ্চলে দর বেঁধে দেওয়ার প্রয়োজন নাই। এবার পর্য্যাপ্ত ফসল হয়েছে এবং কলিকাতাকে যদি বাইরে থেকে খাওয়ানো যায় তাহলে বাংলার জিলাগুলির উপর কম চাপ পড়ার ফলে বাংলার সমস্ত গ্রামে ধান চাউলের দর নেমে যাওয়া অবশ্যম্ভাবী। কিন্তু আজ এই war timeএ demand and supply theory exploded হয়ে গেছে। চোখের উপর দেখা যাচ্ছে অপর্য্যাপ্ত ফসল হওয়া সত্ত্বেও এবং কলিকাতা ও কলিকাতার চারিধারের প্রয়োজনীয় খাদ্যশস্য বাইরে থেকে আনা সত্ত্বেও চালের দর ২৪৲।২৫৲ টাকা মণ। তা ছাড়া transport facilities এর অভাবের দরুণ deficit areaগুলিতে পর্য্যাপ্ত পরিমাণে ধান চাউল আমদানী করা গভর্ণমেণ্টের পক্ষে সম্ভব নয়।

(At this stage the House was adjourned for 15 minutes.)

(After adjournment.)

Mr. B. MUKHERJEE : Mr. Speaker, কোন জিনিষের minimum দর বেঁধে দেওয়ার কোন মানে হয় না যদি সঙ্গে সঙ্গে তার maximum দর বেঁধে দেওয়া হয়। যদিও বাংলা দেশে ধান চাউল producerদের সংখ্যা বেশী দুর্ভাগ্যক্রমে তাদের অধিকাংশকেই ধান চাউল কিনে খেতে হয়। তারা সারা বছরের মত ধান চাউল রাখতে পারে না। ফাল্গুন-চৈত্র মাসে অধিকাংশ কৃষকই তার ধান চাউল বিক্রয় করতে বাধ্য হবে। এই সমস্ত দিক থেকে বিবেচনা করলে maximum price বেঁধে দেওয়া উচিত। এ ছাড়া উপায় নেই। অন্যান্য জিনিষের দামের সঙ্গে সমতা রেখে ধান, চাউল ও পাটের দর স্থির করা উচিত। যুদ্ধের দরুণ প্রয়োজনীয় জিনিষপত্রের দামের Index number আজ হয়েছে ৩৪০, অবশ্য এর ভেতর ধান চাউলও আসছে। অর্থাৎ প্রত্যেক জিনিষের দাম প্রায় ৩।৩॥ গুণ বেড়েছে। এই অবস্থায় চালের দাম minimum ১০৲ টাকা এবং maximum ২০৲ টাকা বেঁধে দেওয়া উচিত।

ব্যবসায়ীদের স্বার্থ সম্পর্ক বিষয়ে আইন কানুন করতে দেরী হয় না। পাটের উচ্চতম মূল্য নির্দ্ধারণ করতে দেরী হয় না। অথচ ৩০ লক্ষ পাটচাষীর স্বার্থের দিকে চেয়ে পাটের নিম্নতম মূল্য নিয়ন্ত্রণ করার ব্যাপারে বহু গবেষণা এসে পড়ে। এই যে পবিত্র অবাধ বাণিজ্য নীতি তাতে মানুষ হঠাৎ কি করে হস্তক্ষেপ করতে পারে? কিন্তু মুষ্টিমেয় পাটের খরিদ্দারদের স্বার্থের খাতিরে উচ্চতম মূল্য নিয়ন্ত্রণ করতে আদৌ দেরী হয় না। তাদের দিক থেকে যদি Ordinance করতে পারেন, এবং আজ যখন বহু জিনিষের দাম নিয়ন্ত্রণ করা হচ্ছে Ordinance-এর ভেতর দিয়ে তখন এই যুদ্ধের পরিস্থিতির ভিতর অবাধ বাণিজ্যের নিকট পাটচাষীদের স্বার্থ বলি দেওয়া উচিত নয়। গত বৎসর আমরা একটা সাংঘাতিক রকমের অভিজ্ঞতা লাভ করেছি। এই বৎসর যাঁরা Party Government চালাচ্ছেন তাঁদের কাছে বলবার আছে —গত বৎসর তাঁদের বহু ত্রুটি থাকা সত্বেও লোকে ক্ষমা করতে পেরেছিল যেহেতু তাঁরা বৎসরের মধ্যস্থলে শাসন ভার পেয়েছিলেন—এই বৎসর ফাল্গুন-চৈত্র মাসে যে সম্ভাবনা দেখা যাচ্ছে সে সম্বন্ধে আজও তাঁদের চিন্তা নেই। সামনে দেখা যাচ্ছে অবশ্যম্ভাবী দুর্ভিক্ষ। আজ বাংলা সরকার এবং কেন্দ্রীয় সরকারের মধ্যে যে অনৈক্য তা কোন fundamental policyর উপর নয়। ছোটখাটো দু একটা বিষয়ে মতানৈক্য—যেমন কতকগুলি সরকারী দোকান হবে কতকগুলি বেসরকারী দোকান হবে ইত্যাদি। fundamentalsএর কোন পার্থক্য নেই—সেই অবাধ বাণিজ্য-নীতি তাঁরা অনুসরণ করছেন। এর ফলে ইতিমধ্যেই দেখা গেছে ধান চাউল সমস্ত চলে যাচ্ছে অল্প কয়েকটি মুষ্টিমেয় লোকের হাতে। ইতিমধ্যেই ধান চাউল বাংলায় দুষ্প্রাপ্য হয়ে পড়েছে। অথচ এমন deficit area আছে যেখানে ধান চাউলের দাম খুব কম।

The Hon'ble Mr. H. S. SUHRAWARDY : কোথায়?

Mr. B. MUKHERJEE : Mymensingh জেলার পার্বত্য অঞ্চলে। সেখানে transportএর কোন সুবিধা নাই। আপনি চান প্রত্যেক সপ্তাহের বাজার দর আপনার কাছে এনে দেব। প্রয়োজন হলে গত তিন মাসের সমস্ত সপ্তাহের দাম এনে দেব।

The Hon'ble Mr. H. S. SUHRAWARDY : সেটা বাজে কথা।

Mr. B. MUKHERJEE : আজ যে সম্ভাবনা এসেছে তার প্রতি লক্ষ্য রাখুন এবং এখন থেকে যথেষ্ট চিন্তা করুন। এই বৎসরে অপূর্ব্ব সুযোগ। পর্য্যাপ্ত ফসল হয়েছে, কলিকাতা এবং বৃহত্তর কলিকাতাকে বাইরে থেকে খাওয়ান হচ্ছে, এই সময়ে সমস্ত বিষয় control করে সমস্ত বাংলার লোককে সস্তায় ধান চাউল দেওয়ার ব্যবস্থা করুন। অবশ্য দেখতে হবে কৃষক যেন তার ন্যায্য price থেকে বঞ্চিত না হয়। এইটা যদি করতে অপারগ হন তাহলে মন্ত্রিমণ্ডলীর পক্ষে এতটুকুও সন্তোষলাভ করা সম্ভব হতে পারে না। তাঁদের এই complacency অসহ্য। এত বড় পর্য্যাপ্ত ফসলের মাঝখানেও বাংলার লোক যদি দুর্ভিক্ষে মরে, যাঁদের উপর শাসন চালানোর ভার তাঁদের ভেতর এতটুকু complacency দেখা যায়, তাহলে সেই complacencyর শাস্তি কেমন করে দিতে হয় তা বাংলার লোক জানে।

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. Speaker, Sir, if the thinness of the House opposite is not an index (RAI HARENDRA NATH CHAUDHURI: Even on Government side) of the levity with which the honourable members opposite treat the food question or their desire to make only political points whenever the food question is discussed, it is certainly an index of their recognition that this resolution, however, apparently

reasonable it may be, is not a practical resolution having regard to present conditions. Sir, before I deal with that matter in detail, I would like to refer to the two previous speakers. The gentleman who spoke immediately before my esteemed friend Mr. Bankim Mukherjee, and who has obviously never heard the expression cost of living index, considers that the rise in prices is conditioned by the increase in the price of *phal*. He thinks that the price of all commodities should rise in accordance with the increase in the price of *phal*, and therefore though the cost of living index may be three times what it was pre-war, since the price of *phal* has risen sixteen times, everything should be accordingly increased sixteen times.

As regards my friend Mr. Bankim Mukherjee I think he does us a great injustice largely due to lapse of memory. (Dr. SYAMAPRASAD MOOKERJEE: Thou too Brutus?) (Laughter.) He points out to us that we have most readily put on a maximum price of jute because the powerful jute interests demanded it whereas we did not put on a minimum price. I would like to recall to the memory of Mr. Bankim Mukherjee of what we did when we were attempting to raise the price of jute and prevent it from falling below a certain level and we went to the extent of making such purchases for the purpose of upholding the market. At that time the Jute industry approached us to fix the maximum price while we were fixing the minimum price of jute by ordinance and we refused to do it. On this occasion the jute industry is powerful enough to be able to control the maximum price itself, and seeing that and noticing that the result of this has been that the agriculturist is getting a low price for his jute we have fixed a minimum price which is or was above the market rate prevailing at that time.

Dr. NALINAKSHA SANYAL: Why not fix a maximum price?

The Hon'ble Mr. H. S. SUHRAWARDY: A maximum price being operative in fact, we have been successful in securing the maximum minimum that it is possible to have under the existing circumstances.

Again Mr. Bankim Mukherjee has said that we are unmindful of the prevailing distress and that Government are not doing anything to meet the present distress. Wherever distress still continues we have not yet closed our kitchens. In many places in Barisal itself where round about there is a surplus crop we are still continuing to give free food.

Mr. B. MUKHERJEE: It is not a fact.

The Hon'ble Mr. H. S. SUHRAWARDY: Certainly in many places we have closed the kitchens, where we think that the agriculturists should bear a portion of the burden having reaped a good harvest, but in many places where there is distress we are still continuing relief, and we are not only considering very seriously but we have taken steps to rehabilitate the agriculturists who have passed through famine conditions.

Now, Sir, we are also not unmindful of what Mr. Bankim Mukherjee calls war-time economy. War-time economy has changed the law of supply and demand to a limited extent. Where there is demand and no supply prices will rise as they used to do formerly, but war time has made this

distinction that where there is little demand and considerable supply the price does not fall as it ought to do having regard to the law of supply and demand. But as we have heard from Dinajpur inspite of the fact that Government are making extensive purchases in Dinajpur the price has fallen in some areas. That I believe is only temporary. That is largely due to the fact that there has been a tremendous blockade in movement of rice from Dinajpur. We are watching the situation, and we are certainly out to make as much purchases as possible for the purpose of maintaining the price. If what is taking place in Dinajpur was prevalent in other areas as well I am sure that Government would have stepped in for the purpose of fixing a minimum price, for the resolution commends itself to me. The Government of India considered at the last Food Conference the question whether a floor price should be fixed or not. It did not find the time opportune and consequently this was not discussed further. I may tell the House that so far as the fixation of minimum price of rice and paddy is concerned we shall have to take the consent of the Government of India before we can do so, and certainly this Government will take the necessary steps when the price falls to that level. But what a different tune was sung on the first day of the session! If there was any encomium that could be paid to the Government as a justification of our policy it is the fear which has been voiced from various parts of the House, namely, that prices are falling or are likely to fall and facts and figures have been placed before us that prices have fallen in certain areas to a level which we certainly do consider to be below the economic level. The position of Government on this point is that we shall keep a sharp look out regarding prices. We consider that the prices at the present moment in Bengal as a whole are above the level at which we would like to see them. I would like prices to fall further and Government in its food procurement policy which was criticised only the other day will be in a position to lower the prices still further.

Dr. NALINAKSHA SANYAL: What is your target price?

The Hon'ble Mr. H. S. SUHRAWARDY: I have explained the position to the House the other day, and I am not prepared to tell you as yet what the target minimum price is. I believe that the House will agree with me that it is not wise at this stage to disclose the target price because the hoarder will begin to hoard as soon as prices reach the minimum figure. At this point Government will purchase extensively and will not allow prices to fall below it.

Dr. NALINAKSHA SANYAL: If you do not, then there will be speculation.

The Hon'ble Mr. H. S. SUHRAWARDY: The result of this will be that no hoarder will dare hoard when prices are falling and will continue to fall and therefore we shall have to fix a price which may be below the economic price but which we will keep to a level which will be satisfactory to all concerned. I do therefore recognise the force of the argument that the price should be fixed at a level which will give an economic return to the agriculturist. We do recognise that the agriculturist has passed through very difficult times and towards the end of the season there were

few agriculturists that did not have to buy paddy or rice at a very high rate and who did not have to give promissory notes or other documents for a consideration which for the rice they had purchased from the merchants was far above the prevailing price. All these things must be taken into consideration and I would ask the House to bear with us in our policy and see whether we succeeded in carrying it out or not. We are at the first step taking measures for the purpose of tightening our cordon still more rigidly because we feel that the prices in these areas are maintaining themselves where they ought to fall in the hope that they will be able to smuggle the rice out of those districts. We are on the other hand making preparations to send food-grains to those deficit areas in ever-growing quantities. As a matter of fact the programme was well laid and all arrangements had been made and everything was ready, but since the 21st of January there has been an unfortunate jam on the B. & A. Railway which has prevented movements. There has been a steady improvement in the situation and we expect that the jam is now being removed. We are making further arrangements for transport so that very shortly we shall be able to send foodgrains to those deficit areas with the result that there will be no demand from them on surplus areas. The prices will probably fall in those areas and bring foodgrains within the reach of the ordinary consumer.

But I do recognise at the same time that there must be a large section of our people that are not able to buy food grains unless the prices fall to a very low level—to such a level as we cannot allow the prices to fall. For them something will have to be done, and we are considering the question of providing cheap grains for them as soon as the grains become available to us and we are able in the first instance to satisfy the demands of the deficit districts so as to moderate the prices in those districts. As soon as we can meet this demand, we shall take steps to see that cheap grain shops are established so that that section of the people that is unable to meet the present cost of living may be able to buy food grains at cheap rate, and further may I once more make a plea for that much-despised article, *bajra*, which everybody can get. If you cannot buy rice at Rs. 25, certainly you may be able to afford to buy *bajra* at Rs. 5-8 per maund, only Rs. 5-8—the price at which we are selling it in the market. The price of this article outside Bengal is much higher. We are undergoing a loss, but we are doing that deliberately so that persons who are really in difficult and straitened circumstances and would otherwise starve would be able to buy cheap food. (Dr. NALINAKSHA SANYAL: Is it fit for consumption?) Believe me, it is a first class food, and I want to tell you that those people who come from Mymensingh and Tangail will support me. When we first sent *bajra* to Tangail, people would not take it; we sent 12,500 maunds of *bajra* but people would not take it. But after it was shown to them that *bajra* could be used and was palatable, there was almost a riot for *bajra* when we sent our next instalment of 16,000 maunds. (Mr. PRAMATHA NATH BANERJEE: Is the Hon'ble Minister eating *bajra* every night?) Oh, certainly I am not afraid of taking it. (Dr. NALINAKSHA SANYAL: You are a jewel!) I hope members from Mymensingh will support me in this. There was a riot for getting *bajra* not because the people found it more

palatable but because they were in distress and because by that time they had recognised that *bajra* was a food. I would ask the honourable members here who have not taken it not to decry *bajra*, for that will bring about a worse situation. They should on the other hand induce people to take to *bajra*. There is no justification for people to starve, merely on account of prejudice and because honourable members opposite consider it a great joke to decry *bajra* and also consider it a great joke to propagate this prejudice and allow people to starve rather than direct their attention towards this food which we are supplying wherever there is a deficit. I would again urge upon the honourable members, if they really wish their people to be saved, to assist me in this. I therefore accept the principle of this resolution, I accept that it has many points of value in it, but I would request the honourable member who moved the resolution to withdraw it. If he does not withdraw it, inasmuch as this is not the opportune moment, I will have no alternative but to oppose it.

The motion of Mr. Adwaita Kumar Maji that this Assembly is of opinion that immediate steps should be taken by the Government of Bengal in the matter of fixation of minimum prices of rice, paddy and jute in comparison with the prices of other commodities and Central Government be moved in the matter, if necessary, was then put and lost.

Khan Bahadur HAJI BADI AHMED CHOUDHURY: Sir, I beg to move that this Assembly is of opinion that Government should at once suspend the realisation of the Education Cess in Chittagong Division.

মাননীয় স্পীকার মহোদয়, আমি যে প্রস্তাব করিয়াছি তৎসম্বন্ধে দুই একটা কথা সংক্ষেপে বর্ণনা করিতে ইচ্ছা করি। অন্য জেলার সঙ্গে চট্টগ্রামের কোন তুলনাই হয় না, সেইজন্য আমি শিক্ষা সেস্‌টা চট্টগ্রাম districtএ বাদ দিবার জন্য এই প্রস্তাব আনয়ন করিয়াছি। চট্টগ্রাম জেলা, এমন কি চট্টগ্রাম ডিভিসনের সমস্তটাই বর্ত্তমানে যুদ্ধক্ষেত্র। চট্টগ্রামের উপর গভর্ণমেণ্টের বহু লোক জন ও সৈন্য আছে, তাদের জোগান দিবার জন্য কণ্ট্রাক্টর, কুলী, মজুর প্রভৃতি বহু লক্ষ লোক আছে। তাছাড়া বার্ম্মা থেকে যেসব লোক আসিয়া ভর্ত্তি হইয়াছে তাহাদের সংখ্যাও অনেক বেশী; তার উপর চট্টগ্রামবাসী যে সব লোক বার্ম্মায় ছিল তারাও ফিরিয়া আসিয়াছে। (Dr. ABDUL MOTALEB MALIK: বাংলা ভাষায় বুঝিয়ে বলুন) আমি তো তাই বলিতেছি। আপনাদের বলা না বলায় আমার কিছু হইবে না। যারা বুদ্ধিমান তারা বুঝিতেছে; আপনারা বুঝিবেন না, বুঝিলেও বলিবেন, "আমরা বুঝি না।" (Mr. CHARU CHANDRA ROY: ওঁদের বোঝাবার চেষ্টা করা পণ্ডশ্রম এ আপনি ঠিক কথাই বলেছেন খান বাহাদুর।) আমি আপনাদের বলিতেছি না, আমি গভর্ণমেণ্টকে বলিতেছি, মাননীয় স্পীকার এবং মন্ত্রীমহোদয় শুনিলেই আমার কাজ হইবে। (Laughter from all quarters) (Khan Bahadur ABDUL WAHAB KHAN; আমরা না বুঝলে কোন কাজই হবে না।) আপনারা যদি কান না দেন, তবে আমি কার কাছে বলিব? (Khan Bahadur ABDUL WAHAB KHAN আমরা সকলেই কান দিচ্ছি।) শিক্ষা করটা বাংলা দেশের সব জেলায় ধার্য্য করা হয় নাই। ১২ই জুন ১৯৪২ সনের গেজেটে ঘোষণা করা হইয়াছে, দিনাজপুর, রংপুর, রাজসাহী, মালদহ, যশোর, খুলনা, পাবনা, বর্দ্ধমান, বাঁকুড়া, মেদিনীপুর, হুগলী, হাবড়া এই সমস্ত জেলায় কোন শিক্ষা কর এ যাবৎ হয় নাই। (Khan Bahadur ABDUL WAHAB KHAN: ধার্য্য করা হয়েছে, আপনি

জানেন না, পাবনা জেলায় ধার্য্য করা হয়েছে।) পাবনায় হইলেও ৪২ সনের পরে হইয়াছে আমি ৪২ সনের গেজেট দেখিয়া বলিতেছি। আমার মুখের কথা নয় (A Voice—তবে কার মুখের কথা আমরা শুনছি? (laughter, noise and interruptions and the member hesitates to speak.)

Mr. SPEAKER : খান বাহাদুর, আপনি বলে যান।

Khan Bahadur HAJI BADI AHMED CHOWDHURY : শিক্ষা ট্যাক্স ধার্য্যের উদ্দেশ্য ছিল দেশবাসীকে শিক্ষিত করা এবং দেশের মঙ্গল করা। বাংলা দেশের যে সব এলেকা অশিক্ষিত স্থান, সেখানে শিক্ষা বিস্তার করাই শিক্ষা কর ধার্য্যের উদ্দেশ্য ছিল, আইনের আর একটা উদ্দেশ্য ছিল—যে দেশ বলিবে "আমরা শিক্ষা ট্যাক্স দিতে রাজি আছি" সেই দেশে শিক্ষা ট্যাক্স ধার্য্য করিয়া সেখানে বাধ্যতামূলক প্রাথমিক শিক্ষা প্রবর্ত্তন করা হইবে। কিন্তু বাংলা দেশের মধ্যে চট্টগ্রাম জেলার সমস্ত ইউনিয়ন বোর্ড বলিয়াছে, "আমরা শিক্ষা ট্যাক্স চাই না। (Mr. Fazlur Rahman : সমস্ত Union একথা বলে নাই) ১৮০টার মধ্যে ১৭০খানি ইউনিয়ন বলিয়াছে আমরা শিক্ষা ট্যাক্স চাই না। এই সকল ইউনিয়ন বোর্ডে প্রজা আছে, জমিদার আছে, ধনী আছে, নির্ধন আছে, উকীল আছে, মোক্তার আছে, ডাক্তার আছে, কেরাণী আছে, ইউনিয়ন বোর্ডে নাই এমন লোক কমই আছে, যারা নাই তারা দুনিয়ার সঙ্গে নাই। (A voice—কলকাতায় ইউনিয়ন বোর্ড নাই, এটা দুনিয়ার বাইরে।) গোলমাল করিবেন না। তার পরে শুনুন, আমি না হয় ইউনিয়ন বোর্ড বাদ দিতেছি। খান বাহাদুর সৈয়দ মাজহারুদ্দিন হোসেন বর্ত্তমান মিনিষ্টার সাহেব চট্টগ্রামে গেলে তখন সেখানকার প্রতিনিধি সকলে আসিয়া opinion দেয় যে আমরা চট্টগ্রাম জেলায় শিক্ষা ট্যাক্স চাই না।" তার প্রমাণ খান বাহাদুর জালালুদ্দিন সাহেব এখানে আছেন তিনি জানেন। ডিষ্ট্রীক্টের প্রায় সকল স্থান থেকেই শিক্ষা ট্যাক্সের প্রবর্ত্তন চায় নাই। তার পর গভর্ণমেণ্ট কোথাও পাত্তা না পাইয়া স্কুল বোর্ডের নিকট যাইয়া শেষে উপস্থিত—আপনারা শিক্ষা ট্যাক্স চান কিনা? (A member from the Coalition Benches : কোন দুনিয়ায় উপস্থিত?) যারা দুনিয়ার কোন খানেই যান না, তারা আমার নিকট প্রশ্ন করিয়াও বুঝেন না। (voices আমাদের বোঝাতেই হবে, বোঝাইতেই হবে) এ রকম গোলমাল করিলে আমি—

Mr. SPEAKER: I think the honourable member speaking belongs to the Ministerialist Party.

Khan Bhadur ABDUL WAHAB KHAN: No, Sir; he is an independent member.

Mr. FAZLUR RAHMAN: I would request the honourable member not to sit on that bench. He should sit somewhere else.

Mr. SPEAKER: I will see to it.

Khan Bahadur Haji BADI AHMED CHOUDHURY: গভর্ণমেণ্ট উপস্থিত হলেন গিয়া স্কুল বোর্ডের কাছে (Khan Bahadur Abdul Wahab Khan ; স্কুল বোর্ড তখন কোথায়?) আইন হইবার পরে বোর্ড, আর বোর্ড হইবার পরে ট্যাক্স। আপনারা আগে শুনুন তার পর কথা বলিবার থাকিলে বলিবেন। তাঁরা বলিলেন "ট্যাক্স না লইয়া যদি হয় তবে শিক্ষা প্রবর্ত্তন করিতে পারেন।" একথার প্রমাণ যারা চান, তারা পাহাড়গাঁয়ে যান। পাহাড়গাঁয়ের যা দুরবস্থা তা না দেখিলে বুঝা যাইবে না। এখানে যারা আছেন বেশীর ভাগ তারা সহরবাসী, মিউনিসিপাল

এলাকার লোক, কিন্তু শিক্ষা ট্যাক্স হইল পাড়াগাঁয়ের জন্য। সেটা হইল village Act. মিউনিসিপালিটির জন্য প্রবর্ত্তিত হয় নাই। এই কলিকাতার উপর যাঁরা যাঁরা বাস করেন যাঁরা Minister আছেন, হাইকোর্টের জজ্ আছেন, বারিষ্টার আছেন (Dr. Abdul Motaleb Malik: ডাক্তার আছেন, ইঞ্জিনিয়ার আছেন) তাঁহাদের ছেলেরা কলিকাতা মহানগরীর Primary School-এ পড়িতে গেলে একটা পয়সাও বেতন দিতে হয় না, বাংলা দেশের যতগুলি municipality আছে তাতে যারা বড় লোক, ধনী, যারা হাকিম, উকীল, বড় বড় চাকুরী করেন, সাধারণতঃ তাহারাই বাস করেন। অথচ কোন সহরের municipalityতে প্রাইমারী শিক্ষার জন্য কোন ট্যাক্স ধার্য্য করা হয় নাই। সুতরাং Primary School হওয়ার ফলে বিনা বেতনে পড়িতেছে কাহারা—যারা ধনীর ছেলে। একজন I.C.S.এর ছেলে যদি Primary School-এ পাঠ করিতে যায় তাহাকে একটা পয়সাও দিতে হয় না। (A member-তাদের অনেক রকমের ট্যাক্স দিতে হয়) কলিকাতা মিউনিসিপালিটিতে প্রাইমারী শিক্ষার জন্য কোন ট্যাক্স নাই। কিসের দরুণ এমন হইয়াছে? কারণ দলে ভারি বেশী, জমিজমার সঙ্গে সম্পর্ক নাই, এই রকম লোক। আমরা ইচ্ছা করিলে দলে ভারি হইতে পারি না, সেইজন্য আমরা জবাই হইতেছি। (Mr. Charu Chandra Roy: ওখানে বসেন কেন) ভাল কাজ করিলে কেউ সহ্য করে না—, এ বড়ই আশ্চর্য্য। আমি এখন বলিতে চাই এই ট্যাক্স ধার্য্য হইয়াছে কাদের উপর? ধার্য্য হইয়াছে পাড়াগাঁয়ের গরিবের উপর—যে সকল চাষীরা চাষ করিয়া ধান্য যোগাড় করিয়া দিয়া এই ভদ্রলোকদের খোরাকি যোগায়? রাষ্ট্রের যারা মেরুদণ্ড তাদেরি উপর এই প্রাইমারী শিক্ষা করের প্রবর্ত্তন হইয়াছে। এখন আমাদের কর্ত্তারা, গভর্ণমেণ্ট দলের মালিকেরা, যারা হিন্দু মুসলমান দুই আছেন, অনুগ্রহ করিয়া শুনুন যে প্রাইমারী শিক্ষা প্রবর্ত্তনের উদ্দেশ্য ছিল যে, দেশের লোক শিক্ষিত হবে, কিন্তু ফলে কি হইয়াছে দেখুন। আগে চট্টগ্রামে আঠার শত স্কুল ছিল। শিক্ষা কর ধার্য্যের পরে তাহার সংখ্যা কমান হইয়াছে। দুই মাইল দূরে দূরে এক একটা স্কুল করা হইয়াছে। আর ছাত্র-সংখ্যা কমিয়া গেছে শতকরা ৪০ জন। (Mr. Fazlur Rahman এ খবর আপনাকে কে দিল?) যারা জেলার খবর রাখে না তাদের অনর্থক তর্ক করিয়া কি লাভ? চট্টগ্রাম প্রাইমারী শিক্ষা প্রবর্ত্তন হইবার পূর্ব্বে কত ছাত্র ছিল, এখনই বা কত ছাত্র আছে, তাহা দেখিলেই বুঝা যাইবে ছাত্র-সংখ্যা (Khan Bahadur Mohammed Ali: আপনি সে সম্বন্ধে কিছুই জানেন না) নিশ্চয়ই আমি আপনাদের অপেক্ষা বেশী জানি (voices: নিশ্চয়ই না, নিশ্চয়ই না noise and interruption.)

Mr. SPEAKER: খান বাহাদুর সাহেব, আপনি একটু বসুন (the member resumed his seat)। খান বাহাদুর সাহেব বল্‌ছেন চট্টগ্রামের pronounciationএ, আমার বুঝতে কঠিন হয়, তার সঙ্গে যদি আবার আপনাদের voice যোগ কোরে দেন তাহলে আমার পক্ষে বোঝা আরো মুস্কিল হবে, আমি আশা করি আপনারা দয়া কোরে ওঁকে আর বাধা না দিয়ে বলতে দেবেন।

Khan Bahadur MOHAMMED ALI: ওঁর কথা যদি কিছু নাই বোঝা যায় তাহলে ওঁর বলে লাভ কি?

Mr. SPEAKER: But that is no reason why he should be interrupted so often.

Khan Bahadur Haji BADI AHMED CHOWDHURY: প্রাথমিক শিক্ষা আইন প্রবর্ত্তনের সময় (Khan Bahadur Mohammed Ali: আইনটা কখনো আপনি পড়েছেন কি?)

Khan Bahadur ABDUL WAHAB KHAN: On a point of order, Sir. Whether this honourable member who had himself voted for the levy of Education Cess under the Primary Education Act when he was a member of the old Council can now speak for the suspension of Education Cess.

Mr. SPEAKER: That is no point of order. It is open to a member to do it. খান বাহাদুর সাহেব আপনি বলুন।

Khan Bahadur Haji BADI AHMED CHOWDHURY: খান বাহাদুর সাহেবকে অনুরোধ করিতেছি তিনি অনুগ্রহ করিয়া Primary Education Act পাঠ করুন। তিনি একজন Law Court-এর member অথচ আইনের অর্থ জানেন না ইহা মনে হয় না। আমি আইনটা বাংলায় শিক্ষা করিবার জন্য পড়িয়াছি, কিন্তু জবাই করিবার জন্য পড়ি নাই। পাড়াগাঁয়ে শিক্ষা বিস্তার কিরূপ কঠিন হইয়াছে শুনুন। এক মাইল দূরে ছাত্রদের যাইয়া পড়িতে হয়। আপনারা চিন্তা করিয়া দেখুন এখান হইতে এক মাইল কত দূর, ততদূরে ৩ বৎসর হইতে ৬ বৎসরের ছেলে যাইতে পারে কিনা। আগেকার দিনে অনেক বড় লোকের বাড়ীতে, নৈলে মসজিদে, ছেলেদের রাখিয়া তাহাদের ধর্ম্ম শিক্ষা, নামাজ শিক্ষা, আল্লার শিক্ষা, রসুলের শিক্ষা, হিন্দুদের বেলায় রাম নাম শিক্ষা দেওয়া হইত। এখন বাংলা দেশের অন্যান্য স্থানে আছে কিনা জানি না চট্টগ্রামে সে সব লুপ্ত হইয়াছে। যার বাবা মুসলমান তার ছেলে নামাজ জানে না। জিজ্ঞাসা করিলে বলে "নামাজ ত শিখায় নাই।" "মৌলবী সাহেবকে জিজ্ঞাসা করিলে বলেন, কোরাণ আনা এখানে নিষেধ আছে। কোরাণ শরিফ যদি প্রাইমারী স্কুলে আনা চলে না, কোরাণ শরিফের মর্ম্ম যদি মুসলমানের ছেলে না জানে তাহলে কি শিক্ষা দেয়? তাহলে।—

Mr. SPEAKER: খান বাহাদুর সাহেব, একথা এখানে প্রযোজ্য নয়।

Khan Bahadur Haji BADI AHMED CHOWDHURY: কোরাণ শরিফ কিসের জন্য? প্রাইমারী শিক্ষায় আসে না। (Mr. Charu Chandra Roy: হিন্দুদের বেলায় কি হবে, তারাও তো রাম নাম ভুলে গেছে।) তারাও রাম লিখিতে ত অথবা দ লিখিবে তার পরিচয় জানে না। তার উপর আর একটা ব্যাপার এই যে, অনেক স্কুলেই ছাত্র নাই কিন্তু প্রাইমারী স্কুলের শিক্ষকেরা যেসব স্কুল দূর দেশে মাসের শেষেই বিলটা পাইয়া বসেন। আমার বাড়ীর পোষ্টাফিস হইতে প্রায় ৫০।৬০টী মাষ্টার তাদের অনেকের স্কুলেই ছাত্র নাই। আমাদের এলাকায় ইন্‌স্পেক্টার যিনি আছেন ৪ বৎসর ধরিয়া স্কুল নাই, তিনি কিন্তু টাকাটা বিতরণ করেন। গভর্ণমেণ্ট যখন টাকা ছিটিয়ে ফেলেন তখন লক্ষ লক্ষ টাকা আসে। আমি দেখিতেছি তারা গরীবকে না বাঁচাইয়া অন্যকে বাঁচাইতেছেন। এই শিক্ষার ট্যাক্স টা আসে কোথা হইতে? জমিদারের উপর হইতে নয়, খালি রায়ত আর জোৎদারের উপর হইতে। অথচ গভর্ণমেণ্টের ধারণা যে রায়তের উপর তাদের যথেষ্ট মমতা আছে। এটা এই একটা assembly, এখানে আমি মিথ্যা বলিব না। গাণ্ডাকারা মৌজা একটা তালুক, সদর জমা ৫৭৲ টাকা, আমি সেটা ১১০৲ টাকায় খরিদ করি। আমি গভর্ণমেণ্টের খাজনা ও শিক্ষা সেস্ চালাইয়া দেখি যে প্রজার কাছ হইতে আমি যা পাইব তাতে আমার দণ্ড দিতে হইবে ৯॥/৬ পাই, সুতরাং ঐ মহাল আমি ছাড়াইয়া দিয়াছি; অন্যে নিয়েছে। খতিয়ান নম্বর আমি দিতেছি (Mr. Fazlur Rahaman: ও সে তালুকটা আপনার নাই তাই আপ্‌শোস্) আপশোস্ নয়, আমি নিজে হইতেই ছাড়াইয়া দিয়াছি। (A member: তবে আর খতিয়ান নম্বর কেন? laughter, noise and interruption.)

Mr. SPEAKER : Order, order. It is not quite in keeping with the dignity of the House. I appeal to you, gentlemen, to maintain the dignity of the House.

Khan Bahadur Haji BADI AHMED CHOUDHURY : এত গোলমাল করিলে আমি কি করিয়া বুঝাই। আপনারা একটু ধৈর্য্য ধরিয়া শুনিবেন।

Mr. ABDULLA-AL MAHMOOD : On a point of order, Sir. May I know in which language the honourable member is speaking.

Mr. SPEAKER : আমি তো জানি এটা বাংলা।

Mr. ABDULLA-AL MAHMOOD : Sir, is it permissible for Speaker to give his ruling in Bengali.

Mr. SPEAKER : Order, order, it is no point of order at all. I hope at least a gentleman in the position of Mr. Abdulla-Al Mamood should not rise on a point of order like that. Yes, Khan Bahadur.

Khan Bahadur Haji BADI AHMED CHOUDHURY : আমি এই সঙ্গে আরও বলিতেছি গ্রাম ছনুয়া, তালুক, বাবু যোগেশচন্দ্র রায়, জমিদার, সদর জমা ৯ হাজার, সেটা নেহাৎ ছোট জিনিষ নয়। যে মহাল mortgage ছিল ৮০ হাজার টাকায় সে মহালটা education cessএর কৃপার ফলে গভর্ণমেণ্ট খাস করিয়াছেন। কেউ সাহস করে না—সকলেই ভাবে, আমি যে নিবো, তাতে প্রজার নিকট হইতে আমি যা পাইব গভর্ণমেণ্টের সেস দিলে আমার কি থাকিবে? তার জন্য খাস করিয়া গভর্ণমেণ্ট নিয়াছেন। এই হইল example। এই ভাবে রায়বাহাদুর ক্ষিরোদচন্দ্র রায় যাঁর জায়গায় আমি এখানে উপস্থিত হইয়াছি, তাঁর একটা মহাল—

Mr. SPEAKER : খানবাহাদুর সাহেব, আপনি অনেক সময় নিচ্ছেন, আপনার কথাগুলি সংক্ষেপে বলুন।

Khan Bahadur Haji BADI AHMED CHOUDHURY : দয়া করিয়া আমাকে আর একটু সময় দিন, আমাদের গলায় ফাঁস লাগিতেছে, আমাদের দেশ ডুবিয়া যাইতেছে সে কথা আমি বলিব না? (At this stage there was blue light) দয়া করিয়া আর ৫ মিনিট সময় দিন।

শিক্ষার ট্যাক্স সম্পর্কে আমাকে এই পরিষদের জন্য যখন ভোট দিয়াছিল সে সম্বন্ধে জিজ্ঞাসা করা হইয়াছে, সে সম্বন্ধে মন্ত্রী মহাশয়দের সঙ্গে appeal করিয়াছি। তাঁরা প্রত্যেক মন্ত্রী বলিয়াছেন—আমরা বিনা ট্যাক্সে বাংলা দেশে প্রথমিক শিক্ষা প্রবর্ত্তন করিব। সে রিপোর্ট পাঠ করুন। (member of the Coalition Party! সেটা পকেট থেকে বের করুন laughter) এখানে আসিয়া যদি স্পীকারের হুকুম না মানেন তাহলে এখানে না আসাই ভাল। (Dr. ABDUL MOTALAB MALIK: আপনাকে ভোট দিয়াছেন কেন? আপনি এলেন কেন?) ভোট দিয়েছে আইনে, ট্যাক্সে নয়। আমি একটা বিভাগের প্রতিনিধি, আমার ভোটার জমিদার, তালুকদার, জোতদার, জমিজমার সঙ্গে হাড়ে মাংসে যার সম্পর্ক আপনাদের ন্যায় ক্ষুদ্র এলেকার ।৵০ আনা ট্যাক্সদাতা ভোটার নহে। (Noice and interruptions.)

Mr. SPEAKER : Order, order. খানবাহাদুর সাহেব সংক্ষেপ করুন।

Khan Bahadur Haji BADI AHMED CHOUDHURY : আপনি আপনার লোকদের থামাতে পারেন না আমার অপরাধ কি? আপনি হাসির লহর থামাতে পারেন না, আমার অপরাধ কি?

Mr. SPEAKER : আপনি শোনেন কেন?

Khan Bahadur Haji BADI AHMED CHOUDHURY: আমি মানুষ আমার কান আছে আমি না শুনিয়া পারি না। (uproar) হাসবেন না শুনুন ১৯৩৯ সালে গভর্ণমেণ্ট যে কার্য্য-তালিকা প্রকাশ করেন, তার ৬ দফা পাঠ করিতেছি। যথা—ট্যাক্স হইতে গরীবদের রেহাই দিয়ে অবিলম্বে অবৈতনিক শিক্ষা প্রবর্ত্তিত হইবে। এইভাবে বলা সত্ত্বেও (Khan Bahadur ABDUL WAHAB KHAN: ১৯৩১ সালে তখন এ পরিষদ কোথায়?) ১লা এপ্রিল ১৯৩৭ সনে আপনারা এখানে উপস্থিত, আমি বলিতে চাই ১৯৩৮-৩৯ সনের কথা। শোনাতে গেলে শুনিবেন না বুঝাইলে বুঝিবেন না বলিবেন এটা কেন হইল কবে হইল। খানবাহাদুর এখানে উপস্থিত, মৌলবী নুর আহমেদ সাহেব Upper Houseএ মেম্বর, তাঁরা জানেন ফজলুল হক সাহেব যখন চট্টগ্রামে যান তখন তাঁহাকে একটা address দিয়া এই কথা বোঝান হয় তাঁর সঙ্গে পাড়াগাঁয়ের কি সম্পর্ক? পাড়াগাঁয়ে ট্যাক্স চান? এই কথার পর ফজলুল হক সাহেব ট্যাক্স ধার্য্য করেন, এক বৎসর ট্যাক্স নেবার পর আবার স্থগিত করেন। কিন্তু আল্লার কি মর্জি। আবার বাড়ানো হইতেছে। আর ট্যাক্স বাড়ানোর ফলে জমিদারের জমিদারী খালি যাইতেছে না, রায়তেরও ফসলী জমি চলিয়া যাইতেছে। আপনারা দয়া করিয়া এখন প্রজাদের বাঁচান। আমাকে মারেন, আমি রাজি আছি। কিন্তু দুনিয়াকে বাঁচান। আল্লার দোয়ায় (A voice! ঐ যে লাল বাতি জ্বলছে শেষ করুন) দ্বিতীয় দফা যখন আমার উপর নিষেধাজ্ঞা জারি হইয়াছে আর লম্বা বক্তৃতা করিতে চাই না। অনেক জিনিষ আপনাদিগকে শুনাইবার ছিল। চট্টগ্রামে যেগুলি, জমি আছে, স্থান আছে তার বেশীর ভাগ স্থানই এরোপ্লেন উড়ানোর জন্য নিয়া গেছে। কলিকাতাতে আপনারা আর কয়খানা লরি দেখেন? দু হাজার চার হাজার একসঙ্গে line বাঁধিয়া চট্টগ্রামে চলিতে আরম্ভ করে, আমরা সেই সব দেখিয়া—

Mr. SPEAKER: এসব কথার সঙ্গে আপনার বক্তব্য বিষয়ের সম্পর্ক কি?

Khan Bahadur MUHAMMAD ALI: এসব military secret এসব কথা বোলবেন না।

Khah Bahadur Haji BADI AHMED CHAUDHURY: আমার এ কথা বলিবার অর্থ ইহাই যে আমাদের চট্টগ্রাম এখন যুদ্ধক্ষেত্র, সেখানে হাজার হাজার এরোপ্লেন গেছে—

(At this stage the member having reached the time-limit resumed his seat.)

Adjournment.

The House was then adjourned at 7-45 p.m. till 3-30 p.m. on Monday, the 14th February, 1944, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 14th February, 1944, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI), in the Chair, 12 Hon'ble Ministers and 180 members.

STARRED QUESTIONS

(to which oral answers were given)

(As soon as the starred question No. 82 was called.)

Mr. ABDULLA-AL MAHMOOD: Sir, the files are not with me and the Hon'ble Minister has left Calcutta. So this question may be held over.

Mr. SPEAKER: All right. Let the questions to be replied to by the Hon'ble Mr. H. S. Suhrawardy stand over.

(Questions *82, 30, 31 and 32 were accordingly held over.)

Restriction Order on the "Amrita Bazar Patrika".

***83. Mr. PRATUL CHANDRA GANGULY:** (*a*) Will the Hon'ble Minister in charge of the Home (Press) Department be pleased to state whether it is a fact that—

(*i*) the Governor was pleased to order under Order No. 928Pr., dated Calcutta, the 8th October, 1943, "that any matter relating to economic conditions in Bengal, the food and supply situation, relief and distress and the Civil Defence Services or organisations shall, before being published in the *Amrita Bazar Patrika* newspapers, till further orders be submitted for scrutiny to the Special Press Adviser, Calcutta;" and

(*ii*) the Governor was pleased under Order No. 927Pr., dated the 8th October, 1943, to prohibit the printing or publishing within the Province of Bengal of document containing a reference by way of comment or otherwise to order referred to in clause (*i*)?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*c*) Has the attention of the Hon'ble Minister been drawn to the fact that after the passing of the above orders on the *Amrita Bazar Patrika* the editorial columns of the *Amrita Bazar Patrika* were kept blank from the 14th October, 1943, for about 50 days?

(*d*) Will the Hon'ble Minister be pleased to state whether the Government took any steps to remove the abovementioned restrictions imposed on the *Amrita Bazar Patrika*?

(*e*) If the answer to (*d*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) and (*ii*) Yes.

(*b*) For publishing two editorial articles which in the opinion of the Government were subversive in nature and contained veiled incitements to violence.

(*c*) Yes.

(*d*) The Order was withdrawn on the 1st December, 1943.

(*e*) Does not arise.

Mr. ATUL KRISHNA GHOSE: Supplementary Question, Sir. মন্ত্রী মহাশয় অনুগ্রহ কোরে জানাবেন কি কোর্টে তাদের বিরুদ্ধে মোকদ্দমা না কোরে, যদি সত্যই তাঁরা violenceএর পক্ষে কোন কিছু লিখে থাকেন, তাদের কোর্টে অভিযুক্ত না কোরে, এরকমভাবে অযথা editorial বন্ধ করবার কি প্রয়োজন ছিল?

Khan Bahadur MOHAMMED ALI: Government did not stop the publication of editorials: Government simply served an order asking that any editorial touching upon certain points should be submitted for pre-censorship.

Mr. ATUL KRISHNA GHOSE: Supplementary Question, Sir. আমাদের মন্ত্রীমহাশয় অনুগ্রহ কোরে জানাবেন কি editorial censure কোরে বন্ধ কোরে দেয়ার পন্থা অবলম্বন না কোরে তাঁদের বিরুদ্ধে আইনতঃ আদালতে প্রকাশ্যে বিচার প্রার্থী হয়ে দাঁড়াবার সাহস ওঁদের ছিল না; তাই editorial censure করার পন্থাটাই ওঁদের নিকট প্রকৃষ্ট পন্থা বলে বোধ হয়ে ছিল?

Mr. SPEAKER: That is another matter.

Dr. NALINAKSHA SANYAL: With reference to question (*a*) (*ii*) whereby the Governor was pleased under Order No 927Pr., dated the 8th October, 1943, to prohibit the printing or publishing within the Province of Bengal of document containing a reference by way of comment or otherwise to order referred to in clause (*i*), will the Hon'ble Minister be pleased to state if his attention has been drawn to any contravention of this order in this province?

Khan Bahadur MOHAMMED ALI: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether Government is in a position to take action against any party which has contravened this order?

Khan Bahadur MOHAMMED ALI: Yes, if Government's attention is drawn to it.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to to state if Government's attention has been drawn to a publication in the *Official Gazette* of the second order having reference to the first order?

Khan Bahadur MOHAMMED ALI: I am not aware.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government is in a position to take any action against the publication of that order if it is reproduced in any newspaper or journal outside?

Khan Bahadur MOHAMMED ALI: Yes, Sir.

Dr. NALINAKSHA SANYAL: If the exact copy of the Gazette notification is reproduced?

Khan Bahadur MOHAMMED ALI: That is a matter of legal opinion.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state what are the reasons for not allowing publication of the fact that such an order was served upon them?

Khan Bahadur MOHAMMED ALI: Because the *Amrita Bazar Patrika* in two editorials of the 28th and 29th September entitled "A note of warning" and "These bitter lessons" likened the situation in Bengal to the situation in Petrograd on the eve of the revolution and the articles asserted that the situation in Bengal was such that a revolution like that of Petrograd was inevitable. That is why Government had to take action because it offended against the Defence of India Rules.

Mr. SASANKA SEKHAR SANYAL: Sir, my question is: what are the reasons for not allowing any publication of the fact that an order of ban had been passed upon the *Amrita Bazar Patrika* by the Government?

Khan Bahadur MOHAMMED ALI: So that there might not be any comments or discussion over the points of the subject matter that was banned.

Mr. SASANKA SEKHAR SANYAL: Sir, my question is not about comments or reference. My question specifically is: what are the reasons for not allowing publication of the order served on the *Amrita Bazar Patrika*?

Khan Bahadur MOHAMMED ALI: So as to stop press agitation.

Mr. ATUL CHANDRA SEN: Did the Government consider the desirability of prosecuting the newspaper if there was any incitement to violence in that paper?

Khan Bahadur MOHAMMED ALI: Government did not think it necessary to go to that extreme length.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the action was taken because the Government of Bengal was apprehensive of a revolution like the Petrograd revolution as mentioned by the Parliamentary Secretary which might lead to the establishment of a Government in India like the Soviet Government?

Khan Bahadur MOHAMMED ALI: No, Sir. As there was a veiled incitement to violence Government did not think it advisable to allow such things to be published.

Mr. ATUL CHANDRA SEN: Did the Government consult the legal authority as to whether the alleged statement made by the *Amrita Bazar Patrika* was not of that nature but was merely in the nature of a friendly advice to prevent violence in the province?

Khan Bahadur MOHAMMED ALI: Government had taken legal advice.

Mr. SASANKA SEKHAR SANYAL: Will the Government be pleased to state whether the fact of such an order was published in any paper patronised by Government?

Khan Bahadur MOHAMMED ALI: I have already answered that question.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to lay on the Table the legal opinion that he took on this matter?

Khan Bahadur MOHAMMED ALI: I am not prepared to do that.

Mr. ATUL KRISHNA GHOSE: Supplementary Question, Sir, অনুগ্রহ কোরে মন্ত্রী মহাশয় জানাবেন কি এই যে আইনের মতটা নিয়েছেন বলে নি বলছেন সেটা কোন্ তারিখে নিয়েছেন এবং আইনের কোন্ officer এই মত দিয়েছেন ?

Khan Bahadur MOHAMMED ALI: I am not prepared to answer that.

Transfer of security prisoner Mr. Preoranjan Das Gupta to Calcutta for medical treatment.

***84. Mr. KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that—

(*i*) security prisoner Mr. Preoranjan Das Gupta now detained in the Jalpaiguri Jail has been suffering from kidney troubles for a long time past; and

(*ii*) the Superintendent of the Jalpaiguri Jail who happens to be the Civil Surgeon of that district and who has been treating him all the time and the Board of Visitors who recently visited the security prisoners there have strongly recommended for his transfer to Calcutta for proper medical treatment?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of transferring him to Calcutta for his treatment without any further delay?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*)The security prisoner now confined in the Rajshahi Central Jail suffered from pain over the kidney region some time in October, 1942, and for a few hours from renal colic on 1st August, 1943, and 29th August, 1943. No signs of stone were seen on X-ray skiagram, and the urine examination showed nothing abnormal.

(*ii*) Yes.

(*b*) At present the prisoner is not in need of any medical treatment. If on medical advice a transfer to Calcutta becomes advisable, I shall certainly consider it.

Dr. NALINAKSHA SANYAL: With reference to the dates of ailment of this prisoner from October, 1942, to 29th August, 1943, will the Hon'ble Minister be pleased to state how many times during this long period of about a year the patient had complained of pain in the region of the kidney?

Khan Bahadur MOHAMMED ALI: I want notice.

Mr. CHARU CHANDRA ROY: With reference to answer (*a*) (*ii*), will the Hon'ble Minister be pleased to tell the House whether the Civil Surgeon of Jalpaiguri strongly recommended him to be transferred to Calcutta for treatment?

Khan Bahadur MOHAMMED ALI: He did recommend his transfer but not strongly.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to tell the House why he was not transferred in spite of this recommendation of the Civil Surgeon who was the Superintendent of the Jalpaiguri Jail?

Khan Bahadur MOHAMMED ALI: The Superintendent of the Jail recommended his transfer which was for a change of atmosphere to brighten up his mental and physical lassitude. The Inspector-General of Prisons here examined his history sheet and found that there was no urgent necessity of transferring him to Calcutta.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether the recommendation of the Civil Surgeon or of the Superintendent was made only for giving an opportunity of having a holiday pleasure here or on medical grounds?

Khan Bahadur MOHAMMED ALI: I have already answered that. It was for a change of atmosphere—that was the exact wording.

Mr. SURENDRA NATH BISWAS: Was it not desirable on medical ground?

Khan Bahadur MOHAMMED ALI: Not exactly but on semi-medical ground—to brighten up physical and mental outlook.

Mr. ATUL CHANDRA SEN: With reference to the answer just now given that the Superintendent merely recommended that the prisoner should be transferred to brighten his mental condition, do I understand Government to say that their policy is to darken the mental condition of the prisoners?

Mr. SPEAKER: That question does not arise.

Mr. CHARU CHANDRA ROY: With reference to the answer "Yes" to the question (*a*) (*ii*), namely, whether the Superintendent of the Jalpaiguri Jail who happens to be the Civil Surgeon of that district and who has been treating him all the time and the Board of Visitors who recently visited the security prisoners there have strongly recommended for his transfer to Calcutta for proper medical treatment, and the separate answer just now given that it was not for medical treatment, will the Hon'ble Minister be pleased to explain the answer?

Mr. SPEAKER: No explanation is necessary.

Mr. CHARU CHANDRA ROY: My question is——

Mr. SPEAKER: That is only elaboration and no question. You cannot ask for explanation like that.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state why in view of the physical condition of Preoranjan Das Gupta, he cannot be released?

Khan Bahadur MOHAMMED ALI: That is a different matter. That does not arise out of this question.

Rai HARENDRA NATH CHAUDHURI: In view of his present condition——

Khan Bahadur MOHAMMED ALI: I have stated that his condition has improved. Within 29 days his weight went up from 168 lbs. to 178 lbs. Since the 29th August he has had no attack of renal colic.

UNSTARRED QUESTION

(answer to which was laid on the table)

Detention of Mrs. Bimal Protiva Debi.

33. Mr. NISHITHA NATH KUNDU: (*a*) Is the Hon'ble Minister in charge of the Home (Jails) Department aware that Mrs. Bimal Protiva Debi now in Presidency Jail has been detained under rule 26 of Defence of India Rules?

(*b*) Will the Hon'ble Minister be pleased to state when the last term of her imprisonment before her present detention expired?

(*c*) Is it a fact that she was detained under Defence of India Rules immediately after the expiry of her last term of imprisonment?

(*d*) If so, will the Hon'ble Minister be pleased to state the reason therefor?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) and (*c*) Yes.

(*b*) On 30th March, 1943.

(*d*) Orders for continued detention of Mrs. Bimal Protiva Debi were issued with a view to prevent her from acting in any manner prejudicial to the defence of British India, the public safety, the maintenance of public order and the efficient prosecution of the war.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state how many times has this lady been placed under detention or imprisonment during the last 15 years?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: The question relates to the continued detention of this lady. She was convicted and immediately on release, she was again detained.

Mr. SPEAKER: Detention after conviction?

Dr. NALINAKSHA SANYAL: I am seeking the continuity of her detention or rather let us know how long this lady has been under detention or imprisonment continuously.

Khan Bahadur MOHAMMED ALI: She has been under detention after the expiry of her term of imprisonment since the 30th March, 1940.

Dr. NALINAKSHA SANYAL: How long has this lady been under detention or under the custody of the Government from the present period backwards?

Khan Bahadur MOHAMMED ALI: This question deals with detention after the expiry of her term of imprisonment. I can give the periods so far as her conviction is concerned and her continued detention on the expiry of the term.

Dr. NALINAKSHA SANYAL: Before the conviction was she under detention?

Khan Bahadur MOHAMMED ALI: I want notice.

Mr. NISHITHA NATH KUNDU: How long was she in imprisonment before this detention?

Khan Bahadur MOHAMMED ALI: She was convicted and sentenced to simple imprisonment for one year and a fine of Rs. 250 and, in default, simple imprisonment for another six months. She served her full term of imprisonment and as she did not pay her fine, she had to undergo simple imprisonment for another six months, but on account of good conduct, there was a remission of 15 days.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to inform us what led the Government to think that she would be acting prejudicially to the defence of British India while she was for a long time, namely, for about a year and a half, in jail custody?

Khan Bahadur MOHAMMED ALI: Because of her antecedents.

Point of Privilege.

Mr. CHARU CHANDRA ROY: On a point of privilege, Sir. The question matter has not improved. We have got only three questions today.

Mr. SPEAKER: These are the only questions that have been received, I understand.

Adjournment Motion.

Dr. SYAMAPRASAD MOOKERJEE: Mr. Speaker, Sir, I have given notice of an adjournment motion that the business of the Assembly do now adjourn for the purpose of discussing a definite matter of urgent public importance and of recent occurrence, namely, the situation arising out of the defects in the working of the rationing scheme for Calcutta which have become manifest after its operation for a fortnight and which unless forthwith remedied will seriously endanger the health and life of the people.

Mr. FAZLUR RAHMAN: I think, Sir, that this motion is inadmissible under the rules of the business because this is neither urgent nor definite. It is not definite because he has said "arising out of the defects" that have been revealed during the working of this scheme for a fortnight. The nature of the defects has not been indicated, not even hinted. Therefore, Sir, it has not been indicated in the motion what is the relationship between these defects and the situation which he has referred to. Therefore this matter is not definite.

And then this is not urgent because he has not said that even during this fortnight when this scheme has been in operation any bad effect has been produced either on the health or on the life of the people who are receiving these rations during this fortnight. He has not said anything to come to the conclusion that unless the defects are forthwith remedied they will interfere either with the health or the life of the people. Therefore the matter is not at all urgent if no bad effect has been produced during this fortnight and it cannot be said that immediately there is going to be a danger either with regard to the health or with regard to the life of the people.

Therefore, Sir, on that ground also it is vague; the result was also not indicated. As I have said, neither the defect nor the effect has been indicated. It is only a presumption that a particular effect will be produced. If you allow this motion, Sir, then in that case any member of this House can come forward with an expression of opinion and make it a matter of urgent public importance. Therefore, Sir, I feel that this is both vague and also that it is not urgent.

Dr. NALINAKSHA SANYAL: May I make a submission in this connection? We are really surprised at the objections raised by the Chief Whip of Government on a motion of this character. The specific and definite issue that my esteemed friend Dr. Mookerjee seeks to raise is a situation arising out of a certain matter. A situation has been definitely created—nobody can deny that. (Khan Bahadur MOHAMMED ALI: What is the situation?) The situation may be good, bad or indifferent. This we shall discuss later. At this stage I am not trying to convince the members about the nature of the situation; it may be right, wrong, bad or indifferent. I am only taking the technical aspect of the question of admissibility of the motion, and I hope honourable members will bear with me for a few minutes. If I am within the rules, there is no reason why merely because certain things appear on one side to be indefinite the motion should be disallowed. The motion seeks to raise a discussion on a matter of urgent public importance; there cannot be any doubt about it that rationing in Calcutta involving 30 lakhs of people is an important matter of public importance. I hope even the enthusiastic Chief Whip of Government will not deny it. (Mr. FAZLUR RAHMAN: It must be definite.) The two things that the motion has to satisfy are whether it is a definite matter and whether it is a matter of public importance. (Rai HARENDRA NATH CHAUDHURI: Recent occurrence.) Whether it is a recent occurrence or not is a matter which is not disputed. I hope that so far as the second part is concerned there is no doubt about it. Dispute has been raised about its definiteness and I shall show that in the past we had several adjournment motions admitted here in this House in which the situation has been made a "definite matter". Our friends who are now in the Government, while they were in the Opposition, sought to move an adjournment motion on the situation created through certain measures taken at a certain college by disallowing certain students to have certain demonstrations. That is a matter which, so far as I remember, was permitted. The technical ground was not taken, but thereafter it was shown that it was *sub judice*. Certain portions of that incident went to the

Court and therefore it could not be taken up. There were numerous other similar incidents in the past. If the statement that Dr. Mookerjee has submitted is taken along with his motion, the definite character of this motion is clarified. The statement runs thus——

Mr. SPEAKER: You cannot read that now.

Dr. NALINAKSHA SANYAL: If you do not allow me, I do not want to read the whole of it. But I shall read only a few sentences to show the definite character of the motion, and how the member who gave notice of the motion made it definite in his statement.

Mr. SPEAKER: I do not think that is permissible at this stage. I must make my position clear. I have got my own idea about the interpretation of the rules, which differs on material points from the existing practice. But I have got to follow the existing practice.

Mr. SASANKA SEKHAR SANYAL: Why, Sir? If you differ from the existing practice, why should you follow it?

Mr. SPEAKER: Conventions grow up and I do not think it would be desirable all on a sudden to change the existing practice, without consulting the party leaders. I propose to do that shortly, but in the meantime I am only following the existing practice.

Dr. NALINAKSHA SANYAL: Sir, I shall complete my arguments. The two definite things that have been indicated are: (1) bad quality of rice that is being supplied, and (2) storage of large quantity of rice in an unhygienic condition in the Botanical Garden.

Mr. SPEAKER: Be brief. Base your arguments on the motion itself, as it is.

Dr. NALINAKSHA SANYAL: Yes, Sir. The body of the motion does not include definite matters of that character, but the subject-matter which is sought to be discussed is very definite. It is the effect or effects of the experience arising from the introduction of rationing in Calcutta during the last few days and the operation for a fortnight which unless forthwith remedied will seriously endanger the health and life of the people. That is a matter which, I submit, Sir, is very definite and is a matter of very great public importance.

Mr. DHIRENDRA NATH DATTA: Sir, rule 99 (*1*) lays down: "A member desiring to ask for leave to move a motion for the adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance must hand to the Secretary before noon on the day on which he desires to ask for such leave a copy of the motion proposed to be moved, together with a short statement of the matter proposed to be discussed." So, Mr. Speaker, the motion as well as the statement of the matter proposed to be discussed are to be read together in order to find out whether the matter proposed to be moved is definite or not. If you read rules 99 and 100 together you will find, Sir, that you will have to read the motion as well as the statement in order to find out whether the matter relates to a definite matter of urgent public importance.

Mr. SASANKA SEKHAR SANYAL: On a point of order, Sir. Is it not permissible for a member moving an adjournment motion to satisfy you about its addmissibility—by reproducing the points set forth in the written statement? What is the harm if the statement is read out *in extenso*?

Mr. SPEAKER: The point is that I am in a difficult position as I have already said. I am bound to a certain extent by the existing practice. If I had a free hand, I would have decided in quite a different way. But the position is this.

As I understand the practice, you have got to base your arguments on the adjournment motion which is before the House, and the statement of facts is not before the House. If it is not before the House and if it is allowed to go in, it means a discussion of the entire thing. While discussing the question of admissibility, it is not pertinent to refer to the statement which is not before the House.

Rai HARENDRA NATH CHAUDHURI: Sir, the question of admissibility is a question which is for the Speaker to decide. It is not a question which is to be decided by the Government. It is a question which has to be decided, as I said, by the Speaker. Now, Sir, the rules regarding the adjournment motion require that the motion should be supplemented by a statement. If it was required that the motion should be self-contained and nothing should be added to the motion to explain the occasion and circumstances of the motion, its urgency or definiteness, then the matter would be different. The rules require that the motion ought to be supplemented by a statement so that the statement will explain the nature of the motion and help the Speaker to arrive at a correct decision regarding the admissibility of the motion. The statement is required for the very purpose of explaining the nature of the motion to the Speaker so that he can bring his judgment to bear on the motion and decide upon the question of admissibility. Government may raise objection to it but it is for the Speaker to come to a decision on the motion after considering the statement which is appended to the motion. So, Sir, it is for you to decide, whether in view of the statement that has been appended to the motion, the motion has been made sufficiently definite to be admitted under the rules.

Khan Bahadur MOHAMMED ALI: Sir, your predecessor in office enunciated a principle that ordinarily an adjournment motion would not be accepted during the Budget session, unless the matter dealt with was of extreme urgency and importance, in view of the fact that the members of the House would get enough opportunities to discuss these matters during the demands for grants. In the circumstances, Sir, I want to know whether you will follow the ruling laid down by your predecessor in office.

Dr. SYAMAPRASAD MOOKERJEE: Sir——

Mr. SPEAKER: Dr. Mookerjee, before you speak on the admissibility, I think it desirable that I should say something with regard to the points raised by Rai Harendra Nath Chaudhuri. He has stated that admissibility is a matter entirely for the Speaker and that therefore in discussing the admissibility discussion of the statement should be allowed. Now I have

already told you more than once that I am in a somewhat difficult position which arises out of the existing practice. I thought that it would not be necessary for me to give any indication of my views today because that may not be quite proper. I have once stated that I will not give my views in the House without consulting the leaders of parties. But you have raised a point which practically compels me to give a decision on that. Therefore, if you insist on that I have got to give my ruling but that may not be taken in any way as resiling from my previous position regarding consulting leaders. If the leaders agree, of course, I can give my present ruling which may be changed afterwards. If that is not the position I would rather like that my views may not be insisted upon today because——

Dr. NALINAKSHA SANYAL: In any case you have got to give your ruling.

Mr. SPEAKER: I know. It would be better, without discussing it in the House, if the leaders met me and discussed it. So today I hope there will not be any insistence that I should give a ruling.

Rai HARENDRA NATH CHAUDHURI: We do not insist on your ruling. The question tonight is if the adjournment motion cannot be admitted. That cannot be decided without your giving a ruling on that point. We are all helpless; what can we do?

Dr. NALINAKSHA SANYAL: Specific decision on a specific matter may be given without prejudice to the general question.

Dr. SYAMAPRASAD MOOKERJEE: So far as your ruling on the general question is concerned that may be postponed until you have an opportunity of discussing the matter in detail with the leaders of the different parties in the Legislature, but Sir, today the specific question is as regards the admissibility of the adjournment motion which I have moved. Objection has been taken that this is not definite. It is not denied that the matter is urgent. It is not denied that the matter is one of great public importance but the question is whether the motion as it reads is sufficiently definite or not. (A voice: What about urgency?) I shall come to the question of urgency presently. So far as the definiteness of the motion is concerned what does the motion say? It says that the House do adjourn to consider the situation arising out of the defects in the working of the Rationing Scheme which has become manifest after its operation for a fortnight and which unless forthwith remedied will seriously endanger the health and life of the people. My point is that the manner in which the Rationing Scheme has been planned and worked creates a situation which threatens the health and life of the people of this city and the question is what are the defects. The defects are mentioned in the statement, which I am not going to read out, annexed to the motion. What is the position of this statement under rule 99? It is obligatory on me, as I send a copy of the motion to the Legislative Assembly office, to send also a short statement of the matter proposed to be discussed. Now, if the motion by itself was intended to be complete in character, then there would have been no necessity for a statement at all. This is a matter which you as Speaker will have to decide whether the motion is admissible or not. What are the materials on which

you will arrive at your decision? The materials will be, in the first place, the motion itself and in the second place the statement accompanying the motion. Under rule 100 it is obligatory upon you to read out the statement to the Assembly so that the House may know if any objection is taken that the Speaker has proceeded not only on the motion which has been read out by the proposer but also on the statement including detailed facts on which the motion is based. If any objection is taken, the procedure is laid down. Immediately you will have to find out if there are 50 members who are of opinion that the motion should be taken up. If 50 members do not rise, the motion falls. But I submit, in view of the grave nature of the allegations, which have been made in the statement, which you have precluded me from reading out but which I hope you will presently read out yourself according to rule 100, in view of all the facts which are stated there and the physical demonstration of some samples which I have brought with me and which I propose to present to the members of the Assembly and to the Hon'ble Ministers, I do not think that there will be any member of this House who will dispute that this matter is not of sufficient definiteness. There are worms and insects moving about inside this box (shown).

I do not think that any plea will be taken that this matter is not definite, not to say that it is not urgent and of sufficient public importance. So far as the suggestion of Khan Bahadur Mohammed Ali is concerned, namely, that there will be ample time to consider this matter during the budget discussion I do say that we cannot afford to wait for such a long time indeed. We want that the matter should be thrashed out by a frank discussion in the Assembly because this is the only place where they can be discussed so that the defects may be remedied before it is too late.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the rules relating to adjournment motion are rules 96, 97 and 98. Rule 96 says that a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker. I would like to submit, Sir, that there was not one occasion on which an adjournment has been allowed on such a vague statement——(Dr. SYAMAPRASAD MOOKERJEE: It is certainly not vague, Sir.)——It is, I submit, vague in this sense that no defect in the rationing scheme has been mentioned——(Dr. NALINAKSHA SANYAL: But the defects are mentioned in the statement which Dr. Mookerjee has not been allowed to read out.)——I submit, Sir, that the motion is vaguely worded and that although defects are likely to take place, there is certainly nothing to apprehend that the matter is very urgent.

Mr. SPEAKER: I understand that I am not called upon to give reasons although I have invariably given reasons whenever I have given important rulings. Circumstances compel me in this particular case not to give any reasons. I will simply say whether I allow it or not. I feel to a certain extent embarrassed and that is why I am taking this course today. But I want to consult the leaders of different parties this very day if that can conveniently be arranged, but, if not, tomorrow. In the meantime I regret I cannot allow this motion.

Srijut NARENDRA NATH DAS GUPTA: Mr. Speaker, Sir, I have given notice of an adjournment motion to which I have received your consent. The motion runs thus: I beg to move that this Assembly do now adjourn to discuss a definite matter of urgent public importance and of recent occurrence, namely, the callousness and indifference shown by the authorities in not attending to the victims of a storm which was the cause of sinking the SS. "Rudra" operating on the Hularhat-Bagerhat line and many country boats in the river Kacha in Barisal district, in suppressing the news for eleven days so that relatives and the sympathetic public could not do their little bit in this matter and in ordering to hold a purely official enquiry at a place far removed from the place of occurrence.

The Hon'ble Mr. Khwaja SHAHABUDDIN: I submit that this motion is not in order, firstly, because there is no question of urgency now. Sir, the Inland Steam Vessels Act provides that as soon as a report comes of the sinking of any vessel the local authority concerned will make an enquiry and report the matter to the Provincial Government. The Local Government has been informed and the preliminary report has come to the Local Government. Government is now considering the matter. But I submit that there is no question of urgency in the matter. As far as the question of suppression of the news is concerned, to which the honourable member has alluded, I submit that that question can better be taken up at the time of the discussion of the budget.

Mr. SPEAKER: Mr. Das Gupta, can you give me the date on which the liner was sunk?

Srijut NARENDRA NATH DAS GUPTA: It is given in the statement, namely, the 29th of January, 1944.

Mr. SPEAKER: But when did you get the information?

Srijut NARENDRA NATH DAS GUPTA: Government suppressed the news, and I got it in a letter received on Saturday last.

Mr. A. F. STARK: So far as this question is concerned, Sir, I understand that the report was published on the 10th February, and if so, it would appear that the honourable member has not taken the earliest opportunity of bringing in an adjournment motion.

Mr. ATUL KRISHNA GHOSE : Sir, আপনি যে কথা বলছেন newspaperএ publication সম্বন্ধে সে বিষয়ে আমি এই কথা আপনাকে বলতে চাই যে বহুবার এই houseএ newspaperএর সংবাদকে সত্য সংবাদ বোলে গ্রাহ্য করা হয় নাই ; সুতরাং মাত্র newspaper সংবাদএর উপর নির্ভর কোরে এখানে motion আনা যেতে পারে না ।

Dr. ABDUL MOTALEB MALIK: There was an announcement by the District Magistrate.

Srijut NARENDRA NATH DAS GUPTA: There has not been any announcement by the District Magistrate.

Mr. SPEAKER: I have tried to get facts but I am sorry to say that Government is not in a poistion to give me the facts. I want to know when

the liner was sunk, when that fact came to the notice of Government and when it was published so that I may ascertain if there had been any delay——

Dr. NALINAKSHA SANYAL: There is another factor also to be considered. After the newspaper report is available the member has got to get it verified and collect materials. My friend says that he got the report verified on Saturday last.

Khan Bahadur MOHAMMED ALI: Sir, there was an announcement by the District Magistrate calling on witnesses to appear before the District Magistrate.

Mr. SPEAKER: When was it?

Khan Bahadur MOHAMMED ALI: That I do not exactly remember.

Mr. ATUL KRISHNA GHOSE: This shows sheer callousness on the part of Government.

The Hon'ble Mr. Khwaja SHAHABUDDIN: Government first received the news on the 1st February; a telegram was received from the District Magistrate saying that on the 29th January the liner "Rudra" was sunk and he and the Subdivisional Officer proceeded to the place of occurrence for holding a preliminary enquiry. Then, Sir, another telegram came giving some information about the incident on the 8th February and we received that information. So far as the publication in newspapers is concerned, it was not formally sent to Government at that stage but I am sure it was promptly published in the newspapers some four or five days ago.

Mr. FAZLUR RAHMAN: I would like to point out, Sir, that it should not only be of recent occurrence but it should be so urgent that the discussion is urgently required. The fact is there that the ship has been sunk. If the discussion does not take place today what effect it would have, that is the standard by which you are going to judge. It can be taken up during Budget Demand. I think no question of urgency does arise. Therefore it is not a matter of urgent public importance.

Mr. ATUL KRISHNA GHOSE: The statement of Mr. Shahabuddin and the subsequent statement of my esteemed friend Mr. Fazlur Rahman clearly go to prove the fact that since the receipt of that information on the 1st of February up till today they have been sitting tight, callous and indifferent and did not take any action whatsoever.

Srijut NARENDRA NATH DAS GUPTA: Mr. Speaker, urgency arises in this way.

Mr. SPEAKER: Why did you not come earlier?

Srijut NARENDRA NATH DAS GUPTA: I got the letter only yesterday from the Secretary of the Relief Committee. Government have not yet made any publication and I got it from the Secretary of the Relief Committee that these are the facts. The Governmental attitude has been clearly stated in the statement of facts and that becomes urgent. Moreover, Government have notified today that they will hold an enquiry on the question at a place

far removed from the place of occurrence. Therefore if the Government do not change this policy then the whole enquiry will be vitiated and people will get no redress or relief whatsoever.

Mr. SPEAKER: This occurrence took place on the 29th January, 1944, and I am told by an honourable member of the Opposition that the matter appeared in the press on the 8th February.

Srijut NARENDRA NATH DAS GUPTA: No, Sir, on the 10th.

Mr. SPEAKER: Let it be 10th, it does not matter much. It appeared in the press on the 10th and today is the 14th. Even if it appeared on the 10th, you could have come up on the 10th.

Dr. NALINAKSHA SANYAL: Sir, before you give your ruling may I submit one thing? It appears, Sir, that there is some misunderstanding about the subject matter proposed to be discussed. The subject matter proposed to be discussed is not the sinking. The sinking took place on the 29th January; the publication of the report about the sinking might have been available on the 10th February. But the subject matter proposed to be discussed is the conduct of Government officials at the place, the report about which never appeared in the newspapers and the report about which was only available from a report which my esteemed friend has obtained from the Secretary of the local Relief Committee which was available only day before yesterday, and the earliest opportunity that might arise is today and not earlier.

Mr. SANTOSH KUMAR BASU: May I just point out to you, Sir, that there seems to be some misconception with regard to the subject matter of this adjournment motion. This adjournment motion does not seek to censure Government for the storm or for the sinking of the ship, news of which came out on the 10th. What it seeks to do is to censure Government for the callousness and indifference shown by them in the handling of the situation after the event took place. From the statement made by the Hon'ble Minister it seems that Government have taken no action whatsoever so far, to which matter attention is being drawn by this adjournment motion. Therefore the date of the occurrence or the date of publication of the news of the incident is of no consequence whatsoever in deciding whether this adjournment motion is in order or not. The honourable member has got information that Government have been guilty of callousness and indifference and he got that information on Saturday last and he has come forthwith before this House with this adjournment motion. These are the matters which you will kindly take into consideration in considering whether there is urgency or not.

Mr. ABDUR RAHMAN SIDDIQI: Sir, a point pertinent for further enquiry would be to find out when the esteemed friend of the honourable member from the municipalities of Murshidabad got that report from the other esteemed friend who was the Secretary of the local Relief Committee. The date of that report would be essntial for the enquiry to be made.

Dr. NALINAKSHA SANYAL: I can straightway mention for the information of my friend and the House that I have understood it only today and here and now.

Mr. SPEAKER: The adjournment motion runs thus: The House do adjourn to discuss a definite matter of great public importance and of recent happening, that is, the callousness and indifference shown by the authorities in not attending to the victims of a storm which was the cause of the sinking of SS. "Rudra" operating in so and so. The point is "the callousness and indifference shown by the authorities in not attending to". As far as I can see the word "authorities" is not sufficiently clear. The authorities, that is, the local authorities might have been negligent. For that reason Government cannot be held responsible.

Mr. DHIRENDRA NATH DATTA: Yes, Sir, the District Magistrate was negligent.

Mr. SPEAKER: That fact itself is not sufficient to fix the responsibility on the Government. If I remember aright in this very House this question was once discussed and a ruling like this was given by Sir Azizul Haque that it may be that the Government itself will censure that officer. Therefore, the very fact that a particular officer or authority is negligent in the discharge of his duties will not make it by that fact alone the subject matter of an adjournment motion in this House. I have very grave doubts with regard to that.

Secondly, it has been stated that the sinking or the date of the sinking is not at all material but the callousness in not attending to the victims is material. So far as I can see the attending to the victims who died in the river was certainly synchronized with the sinking. Therefore, this indifference and callousness necessarily to a very great extent, if not wholly, refers to that very day.

The third point that I can see here is that an attempt is being made to censure the Government for suppressing the news for 11 days--11 days will take us to the 10th or the 9th.

Therefore, if these facts are judged, can it be said that the honourable member has come to this House with the greatest promptitude? In my opinion he has not, and I regret therefore that I cannot allow this motion.

The Bengal Motor Vehicles Rules, 1940.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I beg to lay the amendments to the Bengal Motor Vehicles Rules, 1940, before the Assembly.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. We have received a set of rules or amendments to the Motor Vehicles Rules this afternoon as we were entering the House which, I suppose, are all the amendments that are being now laid on the table. A careful scrutiny of these shows that the first one is dated 19th February, 1943——

Mr. SPEAKER: Let me understand what is your point of order.

Dr. NALINAKSHA SANYAL: My point is that these rules have not been laid on the floor of the Assembly as required under the Motor Vehicles Act which require that previous to their being accepted and made a part of the rules of the Motor Vehicles Act they have to be laid and the House has a right to propose alterations and amendments. You will find that of these rules some of them were made before the previous two sessions of the Assembly.

Mr. SPEAKER: Dr. Sanyal, I can at once tell you that you can discuss these things when the matter comes up for discussion.

Dr. NALINAKSHA SANYAL: Sir, it cannot be laid. My point is that on a previous occasion you said that you would not allow any point of order to be raised unless it was at the appropriate time.

Mr. SPEAKER: So far as this particular matter is concerned, I think it will be better if you propose amendments and I shall allow discussions at that stage.

Dr. NALINAKSHA SANYAL: Supposing, Sir, I have no amendments to make, what would be the position. Sir, you will find the wordings are "Governor is pleased to make the following amendment in the Bengal Motor Vehicles Rules". It is dated 19th February, 1943, that is one year ago. After that two or rather three sessions, April, July and September have already elapsed, but we have not had them placed before the House. The earliest opportunity was not taken to lay the rules before the Assembly. Then you will find another notification dated 22nd September, 1943, when the Assembly was in session but this was not laid before the House then. Again you will find another notification subsequently dated 16th October 1943. Here also surprisingly the words are "Governor is pleased to make the following amendment in the Motor Vehicles Rules". I submit, Sir that these rules are being made or purported to be made in an illegal and *ultra vires* manner. When the Motor Vehicles Act was passed by the Central Legislature they contemplated that rules made thereunder which this House also had adopted, should make a provision that as soon as rules are made or prepared, the House will be given an opportunity to express its opinion thereon and if the House does not amend them, then they can go into the body of the rules after the House has an opportunity to scrutinise or examine them. It is most illegal and unfair that after the whole thing is completed, an opportunity is just now taken in this fashion to lay some thing which is a *post-facto* business and try to regularise it by this back-door method. Government has been trying to do this kind of trick with the Assembly on many other occasions. In regard to some Bills also which have lapsed they are trying again to follow this back-door tactics.

I submit, Sir, that this cannot be allowed at this stage. There have been irregularities, and these rules cannot be taken into account.

The Hon'ble Khwaja Sir NAZIMUDDIN: I would like to draw the attention of the House to sub-section (*3*) of section 133 of the Motor Vehicles Act, 1939. All rules made under the Act by the Provincial Government shall be laid not less than 14 days before the Provincial Legislature in both Chambers, as soon as possible after they are made; and (*2*

shall be subject to such modification as the Legislature may make during the session in which they are so laid. There is no question of lapse. It may be that it ought to have been placed before the House earlier. The House, if it so thinks, may censure Government on that point, but there is no defect as far as laying the rules before the House is concerned, nor has there been any serious damage done, because the Legislature still has a right to modify the rules that have been made in any manner.

Mr. SPEAKER: Dr. Sanyal, you have asked me to give a ruling whether or not I should allow this to be laid before the House (Dr. Nalinaksha Sanyal: Because they do not comply with the requirements.) because you say that these rules should have been laid before the House as soon as possible after they were made. That has not been done and therefore I should not allow it to be laid before the House.

Dr. NALINAKSHA SANYAL: This is one argument, but the other is there. The rules do not comply with the requirements of the law. If you read provisions of that section, even sub-section (3) you will see that the requirements of the Act have not been complied with.

Mr. SPEAKER: The position is simply this. If anybody had been hauled up before a Court for violation of these rules, he could have certainly taken objection and I do not know what would have been the decision of the Court in that case. That is a different point and we are not concerned with that. The point now before us is whether I should allow these rules to be laid before the House, whether I can in view of the proviisons of sub-section (3) of section 133 rule them out altogether. I do not think that would be quite right. Certainly there has been delay. Certainly Government should have come up before the House long long before as has been admitted by Sir Nazimuddin and certainly the House can censure the Government for these laches. There is no doubt about it (Cries of hear, hear" from the Opposition benches), but still the question before us is whether this should be allowed to be laid. I think it would not be quite proper for me to rule it out and I allow it to be laid.

Enquiry into the closing down of the southern entrance to the Assembly Buildings.

Mr. I. A. CLARK: On a point of privilege, Sir. Are you aware that the southern entrance of this Assembly has been closed by a friendly Government, as far as I am aware, without giving any notice thereof?

Mr. SPEAKER: I will just enquire into the matter.

Dr. NALINAKSHA SANYAL: May we be enlightened on this point by the Hon'ble Minister in charge of the Home Department? Sir, an honourable member has stated on a point of privilege that contrary to the rights of members to enter the Assembly Chamber by the way that the Assembly members are entitled to enter, certain difficulties have been created to the members entering the premises, and, Sir, his information is that some friendly Government has done it. We want to have some light thrown on that, because we cannot conceive of any executive power within the province

far less within the city of Calcutta being exercised by any other Government than the British Government or the puppet Ministers set up by the British Government.

Let us see if we are so much reduced in our puppetry that even the U.S.A. Government have taken action——

Mr. SPEAKER: Order, order. I have already ordered an enquiry to be made into this matter. Let us ascertain first what the real state of things is and then consider what we can do.

Supply of bad quality of rice.

Mr. SURENDRA NATH BISWAS: Before we proceed with the business of the House, I would draw the attention of Government through you to the samples of rice that have been brought——

Mr. FAZLUR RAHMAN: On a point of order, Sir.

Mr. SURENDRA NATH BISWAS: I am on my legs. If he has any point of order to raise he may do so later on. What I am going to submit is——

Mr. SPEAKER: Order, order. Mr. Biswas, will you kindly resume your seat?

Mr. SURENDRA NATH BISWAS: On a point of submission, Sir——

Mr. SPEAKER: No, no, that is not allowed.

Mr. SURENDRA NATH BISWAS: On a point of privilege, Sir——

Mr. SPEAKER: When an honourable member rises on a point of order or on a point of privilege, I have got to accept that statement as correct. I hope that honourable members will realise the importance of their rising and the implications of their rising.

Mr. SURENDRA NATH BISWAS: I shall not act in that way. I rise on a point of privilege. Sir, I have been offered a very bad quality of rice as my ration——

Mr. SPEAKER: Order, order. That is a privilege of every citizen in the province. It is no special privilege of any member of this House.

Mr. SURENDRA NATH BISWAS: You have ruled out the adjournment motion and I am not going to refer to it. What I submit is that according to the Rationing Scheme rice is being forced upon consumers by Government—a very bad quality of rice. May I ask the Hon'ble Minister through you, Sir, to state before the House whether this quality of rice—— (*Interruption.*)

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order, Sir. I would suggest that what the honourable member (Mr. Biswas) has said should be expunged from the record.

Rai HARENDRA NATH CHAUDHURI: Why?

The Hon'ble Khwaja Sir NAZIMUDDIN: Because he was deliberately disobeying the orders of the Speaker.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. We know that the Home Department have issued orders on the Press not to allow any grievances to be published regarding food supply.

Mr. SPEAKER: Order, order. Dr. Sanyal, please resume your seat. I will not allow any more discussion.

GOVERNMENT BILL.

The Bengal Agricultural Income-tax Bill, 1944.

The motion of Mr. Surendra Nath Biswas that the Bill be recommitted to the same Select Committee with instructions to submit their report on or before the 30th June, 1944, the quorum being the same as before, was then put and a division taken with the following result:—

AYES—54.

Abdul Hafiz, Mr. Mia.
Abdul Majid, Maulvi (Mymensingh).
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Banerjee, Mr. Pramath Nath.
Banerji, Mr. P.
Barat Ali, Mr. Md.
Barma, Mr. Puspajit.
Barman, Mr. Upendra Nath.
Bhowmik, Dr. Gobinda Chandra.
Biswas, Mr. Surendra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Radhanath.
Das Gupta, Srijut Narendra Nath.
Dutta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Edhar, Mr. Upendranath.
Ghose, Mr. Atul Krishna.
Golam Rabbani Ahammad, Maulvi.
Gyasuddin Ahmed Choudhury, Alhadj.
Hashem Ali Khan, Khan Bahadur Maulvi.
Jalaluddin Hashemy, Mr. Syed.
Khan, Mr. Debendra Lall.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Mahtab, Maharajadhiraja Bahadur Uday Chand, of Burdwan.
Majumdar, Mrs. Hemaprova.
Mazirezzaman Islamabadi, Maulana Md.
Mookerjee, Dr. Syamaprasad.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Mukherji, Dr. Bharat Chandra.
Mullick, Srijut Ashutosh.
Mustafa Ali Dewan, Maulvi.
Nandy, Maharaja Srischandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Paul, Sri Hari Sankar.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy, Kumar, Shib Shekhareswar.
Sanyal, Dr. Nalinaksha.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Sen, Babu Nagendra Nath.
Sen-Gupta, Mrs. Nellie.
Shamsuddin Ahmed Khondkar, Mr.
Sinha, Srijut Manindra Bhushan.
Sur, Mr. Harendra Kumar.
Wallur Rahman, Maulvi.
Zaman, Mr. A. M. A.

NOES—92.

Abdul Hafiz, Mr. Mirza.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Motaleb Malik, Dr.
Abdul Wahab Khan, Khan Bahadur.
Abdullo-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abul Fazl, Mr. Md.
Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Barma, the Hon'ble Mr. Prembari.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakraborty, Mr. Jatindra Nath.
Chakraborty, Babu Narendra Narayan.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Emdadul Haque, Kazi.
Farhat Bano Khanam, Begum.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Goswami, the Hon'ble Mr. Tulsi Chandra.

Griffiths, Mr. G.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasina Murshed, Mrs. M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Haywood, Mr. Rogers.
Hodge, Mr. H. Rowen.
Jasimuddin Ahmed, Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kumar, Mr. Atul Chandra.
McGregor, Mr. G. G.
Mlepherson Mr. G., P.
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, the Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Mosiem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Abdul Halim Molla, Mr.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjea, the Hon'ble Mr. Taraknath, M.B.E.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noorudin, Mr. K.
Norton, Mr. H. R., M.B.E.
Pain, the Hon'ble Mr. Barada Prosanna.
Powell, Mr. J. A.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sahebe-Alam, Mr. Syed.
Sarkar, Babu Mudhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda
Skipwith, Mr. W. E.
Smart, Mr. J. N.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Thorman, Mr. C. M.
Thakur, Mr. Pramatha Ranjan
Walker, Mr. J. R.
Whitehead, Mr. R. B.
Yousuf Ali Chowdhury, Mr.
Zillur Rahman Shah Choudhury, Maulvi.

The Ayes being 54 and the Noes 92, the motion was lost.

Rai HARENDRA NATH CHAUDHURI: Mr. Speaker, Sir, one point we should like to make clear so far as the division called is concerned. We had no mind to call division on these motions, but in view of the great discourtesy that has been shown to the House by the Treasury Bench in not replying to the speeches made on the other day on these motions, there was no other alternative left to us than register our protests in this fashion. A whole day was taken up by these motions and almost all the groups in the Opposition spoke on these motions, and still the Hon'ble Minister in charge did not consider it worth while to reply even for five minutes. So, Sir, in view of the discourtesy that has been shown and shown deliberately to the House, we consider it our duty to call division on every question that is put to the House.

Dr. NALINAKSHA SANYAL: Sir, on behalf of this party I associate myself entirely with the observations made by my esteemed friend Rai Harendra Nath Chaudhuri: it would be necessary for us to throw our challenge to the challenge thrown by the Government party backed by a senseless majority of members. If they have no logic, we shall show them that number alone cannot help them to regain their position in the country.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I wish to make it clear, Sir, that I meant no discourtesy: the points that were raised were practically answered by me in advance in my preliminary remarks in connection with the Bill. I was rather anxious that the progress of the Bill should be expedited.

Rai HARENDRA NATH CHAUDHURI: The Hon'ble Minister could have said this before the division was called although it would have been as good as refusing a reply. But how can he economise time if we go on calling division on every motion?

Mr. SPEAKER: Mr. Rai Chaudhuri, when the Hon'ble Minister says that he did not mean any discourtesy to the House and when he says that he is of the opinion that he has answered all those arguments in advance in his speech on the Bill, I would appeal to you to consider whether the course proposed by you will be in keeping with the dignity of the House and also whether it would be desirable not to utilise the time of the House to the fullest extent.

(At this stage the House was adjourned for 15 minutes.)

(After adjournment.)

The motion of Khan Bahadur Haji Badi Ahmed Choudhury that the Bill be recommitted to a Select Committee again consisting of—

The Hon'ble Minister in charge of the Finance Department,
Maharaja Srischandra Nandy of Cossimbazar,
Maulvi Ahmed Ali Mridha,
Dr. Sanaullah,
Dr. Nalinaksha Sanyal,
Mr. Abdul Latif Biswas,
Mr. Dhirendra Nath Datta,
Kazi Emdadul Haque, and
Khan Bahadur Haji Badi Ahmed Choudhury (the mover),

with instructions to submit their report by the 15th April, 1944, and the quorum of the Select Committee be fixed at five, was then put and a division taken with the following result—

AYES—54.

Abdul Majid, Maulvi (Mymensingh).
Abdul Wahed, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Azhar Ali, Maulvi.
Badi Ahmed Choudhury, Khan Bahadur Haji.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. P.
Barma, Mr. Pupejit.
Barman, Mr. Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhowmik, Dr. Gobinda Chandra.
Biswas, Mr. Surendra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Radhanath.
Das Gupta, Srijut Harendra Nath.
Dutta Gupta, Miss Mira.
Edhar, Mr. Upendranath.
Fazlul Haq, Mr. A. K.
Golam Rabbani Ahammad, Maulvi.
Gupta, Mr. Jogesh Chandra.
Gyasuddin Ahmed Choudhury, Alhadj.
Hashem Ali Khan, Khan Bahader Maulvi.
Jalaluddin Hashemy, Mr. Syed.
Khaitan, Mr. Debi Prasad.
Khan, Mr. Debendra Lall.
Kundu, Mr. Hiralitha Nath.
Lahiri, Babu Ashutosh.
Mahtab, Maharajadhiraja Bahadur Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Maniruzzaman Islamabadi, Maulana Md.
Mookerjee, Dr. Syamaprasad.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Sulaiman, Khan Bahadur Maulvi.
Mullick, Srijut Ashutosh.
Mustafa Ali Dewan, Maulvi.
Nandy, Maharaja Srischandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Roy, Kumar, Shib Shekhareswar.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shamsuddin Ahmed Khondkar, Mr.
Sinha, Srijut Maniendra Bhushan.
Wahur Rahman, Maulvi.
Yousuf Mirza.

NOES—96.

Abdul Hafiz, Mr. Mirza.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Metaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abul Fazl, Mr. Md.
Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Barma, the Hon'ble Mr. Promhari.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakrabarty, Mr. Jatindra Nath.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Manmohan.
Dass, Babu Debendra Nath.
Emdadul Haque, Kazi.
Farhat Bano Khanam, Begum.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D., C.I.E.
Gomes, Mr. R. A.
Goswami, the Hon'ble Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hosina Murshed, Mrs., M.B.E.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Hirtzel, Mr. H. A. F., O.B.E.
Hodge, Mr. H. Rowan.
Jasimuddin Ahmed, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kumar, Mr. Atul Chandra.
Leisk, Mr. John.
McGregor, Mr. G. G.
McPherson, Mr. G. P.
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Mandal, the Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Maulvi.
Miles, Mr. C. W.
Mohammed Ali, Khan Bahadur.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Abdul Halim Molla, Mr.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjea, the Hon'ble Mr. Taraknath, M.B.E.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noorudin, Mr. K.
Norton, Mr. H. R., M.B.E.
Pain, the Hon'ble Mr. Barada Prosanna.
Powell, Mr. J. A.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman Khan, Mr.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sahebe-Alam, Mr. Syed.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Skipwith, Mr. W. E.
Smart, Mr. J. N.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Thorman, Mr. C. M.
Thakur, Mr. Pramatha Ranjan.
Walker, Mr. J. R.
Walker, Mr. W. A. M., C.B.E.
Whitehead, Mr. R. B.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.
Zillur Rahman Shah Choudhury, Maulvi.

The Ayes being 54 and the Noes 96, the motion was lost.

The motion of Mr. Sasanka Sekhar Sanyal that the Bengal Agricultural Income-tax Bill, 1943, be recommitted to the same Select Committee with instructions to submit their report by the 31st March, 1944, and that the quorum of the Select Committee be fixed at as before, was then put and a division taken with the following result:—

AYES—57.

Abdul Majid, Maulvi (Mymensingh).
Abdul Wahed, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Badi Ahmed Choudhury, Khan Bahadur Haji.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. P.
Barma, Mr. Puspajit.
Barman, Mr. Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhowmik, Dr. Gobinda Chandra.
Biswas, Mr. Surendra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Radhanath.
Das Gupta, Srijut Harendra Nath.
Datta, Mr. Dhirendra Nath.
Deloi, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Ekbar, Mr. Upendranath.
Fazlul Huq, Mr. A. K.
Golam Rabbani Ahammad, Maulvi.

Gupta, Mr. Jogesh Chandra.
Gyasuddin Ahmed Choudhury, Alhadj.
Hashem Ali Khan, Khan Bahadur Maulvi.
Jalaluddin Hashemy, Mr. Syed.
Khan, Mr. Debendra Lal.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Mahtab, Maharajadhiraja Bahadur Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Maniruzzaman Islamabadi, Maulana Md.
Mookerjee, Dr. Syamaprasad.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Solaiman, Khan Bahadur Maulvi.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Mustafa Ali Dewan, Maulvi.
Nandy, Maharaja Srischandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Roy, Shib Shekhareswar, Kumar.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shamsuddin Ahmed Khondkar, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Waliur Rahman, Maulvi.
Yousuf Mirza.
Zaman, Mr. A. M. A.

NOES—99.

Abdul Hafiz, Mr. Mirza.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Motaleb Malik, Dr.
Abdula-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur, A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abul Fazl, Mr. Md.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alifazuddin Ahmed, Khan Bahadur Maulvi.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Barma, the Hon'ble Mr. Premhari.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakraborty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Mr. Manmohan.
Dass, Babu Debendra Nath.
Farhat Bano Khanam, Begum.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D., C.I.E.
Gomes, Mr. R. A.
Goswami, the Hon'ble Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmed, Khan Sahib.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Hodge, Mr. H. Rowan.
Jalaluddin Ahmad, the Hon'ble Khan Bahadur Maulvi.
Jasimuddin Ahmed, Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kasem Ali Mirza, Sahibzada Kawam Jah Syed.
Kennedy, Mr. I. G.
Kumar, Mr. Atul Chandra.
Leish, Mr. John.
McGregor, Mr. G. G.
McPherson, Mr. G. P.
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).
Mandal, Mr. Amrita Lal.
Mandal, Mr. Jagat Chandra.
Mandal, the Hon'ble Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruddin Akhand, Maulvi.
Miles, Mr. C. W.
Mohammed Ali, Khan Bahadur.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Abdul Halim Molla, Mr.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjee, the Hon'ble Mr. Taraknath, M.B.E.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur
Mustagawsai Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noeruddin, Mr. K.
Norton, Mr. H. R., M.B.E.
Pain, the Hon'ble Mr. Barada Prosanna.
Powell, Mr. J. A.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman Khan, Mr.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sahebe-Alam, Mr. Syed.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Lit'a Munda.
Skipwith, Mr. W. E.
Smart, Mr. J. N.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Thorman, Mr. C. M.
Walker, Mr. J. R.
Walker, Mr. W. A. M., C.B.E.
Whitehead, Mr. R. B.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.
Zillur Rahman Shah Choudhury, Maulvi.

The Ayes being 57 and the Noes 99, the motion was lost.

The motion of the Hon'ble Mr. Tulsi Chandra Goswami that the Bengal Agricultural Income-tax Bill, 1943, as reported by the Select Committee be taken into consideration was then put and agreed to.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I beg to suggest that clause 2 instead of clause 1 may be taken into consideration today.

Mr. SPEAKER: The Hon'ble Minister has asked for permission to take up clause 2 instead of clause 1.

Rai HARENDRA NATH CHAUDHURI: When is clause 1 going to be taken up?

Mr. SPEAKER: That will be taken up later.

Mr. SASANKA SEKHAR SANYAL: On a point of order, Sir. After the Bill has been taken into consideration, it does not lie in the Government or anybody to suggest the order in which the Bill should be taken up. It is entirely for the Speaker to decide with the consent of the House. In the ordinary course, clause by clause will come under your jurisdiction. It does not require any moving; nor is it for the Hon'ble Minister to change the procedure?

Mr. SPEAKER: After all it is a question of convenience of transacting business. I don't think that there is any harm if clause 2 is taken up now.

Rai HARENDRA NATH CHAUDHURI: Let us understand the Government position. When do Government intend to take up clause 1? Let Government make that clear.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: It will be taken up later. I have asked the permission of the Speaker to take up clause 2 before clause 1. We have certain difficulties in regard to clause 1 which I shall consider and I shall inform the House in due course.

Mr. SPEAKER: Will you please see Rule 6?

Rai HARENDRA NATH CHAUDHURI: I know that it relates to a matter of convenience.

Mr. SASANKA SEKHAR SANYAL: I submit that it would have been fair if Government had given notice to the members of the House that their intention was to take up the subsequent clause instead of the earlier clause. In the ordinary course of things, motions Nos. 7, 8, 9 and so on will be taken up for discussion.

Mr. SPEAKER: Do you mean to say that it will be inconvenient if clause 2 is taken up now?

Mr. SASANKA SEKHAR SANYAL: Yes, it will be. If clause 1 cannot be taken up now, he can move with the leave of the House for an adjournment.

Mr. SPEAKER: The rule on this point appears to be clear. Discretion is given to the Speaker. I don't think that there is anything which is likely to inconvenience the Opposition.

Mr. SASANKA SEKHAR SANYAL: Sir, we are more ready with amendments to clause 1 for the time being and it is inconvenient to the Opposition to take them by surprise.

Mr. SPEAKER: Mr. Rai Chaudhuri, have you anything to say?

Rai HARENDRA NATH CHAUDHURI: Our Whip has made the point clear. We are prepared with amendments to clause 1 and not clause 2.

Dr. NALINAKSHA SANYAL: Apart from the question of our convenience or inconvenience, I submit that clause 1 deals with the extension of the provisions and the time for application of these provisions. These two are very essential to enable us to deal with other clauses that follow so that we may be inclined to agree with certain provisions of a temporary character. We may not be so agreeable if they are going to be of a permanent character. Sir, similarly there are members who want certain parts of Bengal to be kept out of the purview. Now those members would obviously be prejudiced if the other clauses are taken up without disposing of their point of view about the applicability of this measure to the part or parts in which they are interested. In this view of things the subsequent clauses appear to be dependant to some extent on the applicability or otherwise of the amendments proposed to be moved to clause 1. It is not merely a question of convenience or otherwise. It is also a question whether it is proper and whether it would be possible for the House to apply its mind to other clauses without knowing to what extent the legislation is going to affect the people.

Mr. ABDUR RAHMAN SIDDIQI: You were good enough to allow the Minister to propose the consideration of clause 2. After that decision given by you (Cries of "no decision has been taken") is it open to any member of this House to raise any objection at this stage?

Mr. SPEAKER: It is certainly not open to any member of this House, after I have given a decision, to reopen it except without my permission. Here the manner in which the matter was put by the Hon'ble Minister implied my consent and in fact I can tell you that without hearing the House I thought there would be no objection. That is why I thought that he was in order. But when objection was raised, I gave the Opposition an opportunity to state the nature of their objection. So this point, I think, does not arise.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I wish to tell you frankly what my difficulty is with regard to clause 1. It is quite possible that we may not be able to get through the whole Bill by the 1st of April. In that case sub-clause (*3*) of clause 1 would create a rather awkward situation.

Dr. NALINAKSHA SANYAL: Why?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Because we want to give effect to the Bill from the 1st of April, 1944. So, Sir, it would be most convenient if clause 1 is taken up later on. We have no other objection.

Mr. SPEAKER: You mean to say that there may be a difficulty if clause 1 is taken up now? You seem to be anxious to give effect to this piece of legislation with effect from the 1st April, 1944, but there will be a difficulty if sub-clause (*3*) of clause 1, namely, "It shall come into force on such date as the Provincial Government may, by notification in the *Official Gazette*, appoint", is taken up now, because if the Bill is not passed by that time there may be this difficulty that it cannot be put into operation with effect from the 1st April, 1944. That is why, I think, you want to pass over clause 1 for the time being?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Yes, Sir, that is my point.

Mr. SPEAKER: I think, then, there is no harm in dealing with clause 2 now.

Mr. SASANKA SEKHAR SANYAL: Sir, since you have accommodated the convenience of the Government by taking up clause 2, I hope you will also be pleased to consider the convenience of the Opposition which was not prepared at all to take it up at this stage.

Mr. SPEAKER: I will not put any of these motions to vote today.

Dr. NALINAKSHA SANYAL: Sir, I have a number of amendments to clause 2. On a subsequent examination of the position in the light of the definition of agricultural income given in the Indian Income-tax Act, I feel that unless you help me out of it I may not be in order in moving my amendments because that will qualify the exemption in the Indian Income-tax Act and to that extent I may infringe the provisions of the Indian Income-tax Act, which this Legislature has no right to infringe. In that view of things I am feeling some difficulty in moving my motion unless you help me out of it. The whole of the definition of agricultural income is entirely taken *in toto*—I have compared word for word—from the Indian Income-tax Act. In that view of things I want your rulings, Sir, and if you allow me, I will move.

Mr. SPEAKER: Your impression is that the amendments are not in order?

Dr. NALINAKSHA SANYAL: Yes, Sir. All the amendments relating to this clause, in my humble opinion, will bring changes in the definition of agricultural income, which, according to my reading of the thing, it appears, will subsequently create some difficulty.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, any attempt that infringes the definition of the Indian Income-tax Act might be dangerous.

Mr. SPEAKER: The real point is whether it does or does not.

Dr. NALINAKSHA SANYAL: Sir, the point is not exactly what the Hon'ble Minister in charge says, but it is something like it. I cannot go beyond the exemption provided, that is to say, I cannot infringe upon articles or commodities which are at the present moment assessable under the Indian Income-tax Act. I can take away some of the items that are

now governed by agricultural income but I cannot add to it items which now come under the control or guidance of the Indian Income-tax Act. That is my apprehension.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I entirely agree with Dr. Sanyal.

Mr. SPEAKER: In that case, would it not be the best course to rise for the day?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: But, Sir, we can go on with other amendments.

Mr. SPEAKER: All right, let these amendments stand over for the present, and let us take up amendment No. 20.

Clause 2.

Maharaja SRISHCHANDRA NANDY, of Cossimbazar: Sir, I beg to move that in clause 2(*1*)(*a*), in line 3, for the words "in British India", the word "in Bengal" be substituted.

Sir, I really could not understand why the assessment of lands should also include lands lying outside the province. In the Assam and the Bihar Agricultural Income-tax Acts there is no such provision and assessment is limited to lands within the province. I feel that if my interpretation is correct obviously it would be *ultra vires* of the provincial legislature to extend the area and scope of taxation to other provinces. Besides lands outside our province will be guided by the enactments of that particular province. It will only create confusion worse confounded.

(Motion Nos. 21-33 was called but not moved.)

Dr. NALINAKSHA SANYAL: Sir, I have good reasons to place before the House with regard to our opposition to this motion.

Mr. SPEAKER: Dr. Sanyal, will you kindly resume your seat? I find that there are three amendments, namely, amendments Nos. 21-23, standing in the names of Messrs. Hodge, Miles and Stark which they have not moved but I should like to know whether they want to speak on this clause.

Mr. A. F. STARK: I will speak, Sir, but I will not move our motion.

Dr. NALINAKSHA SANYAL: Sir, we feel that my esteemed friend, Maharaja Srischandra Nandy, of Cossimbazar, has not been well advised to move this amendment. Here we shall be concerned with the definition of total agricultural income and if the definition of agricultural income itself is so circumscribed as to keep out of its purview income derived from agriculture from some parts of British India other than Bengal, then, Sir, it will as well be difficult to include such sums in the calculation of the total world agricultural income which we are anxious to see should not be left out of account. Sir, I feel that the Maharaja would have been well advised to see the implications of it when he saw in the printed order-paper that three members of the European Party also proposed a similar motion and that itself should have been sufficient caution to him (Mr. A. F. STARK: It is not moved.) to show that he was in troubled waters. I

submit here again that at this stage there may be a definition of "agricultural income". This is somewhat comprehensive. If the Maharaja wants to make it clear that so far as this measure of taxation is concerned, income derived from properties situated outside the province would not be brought within the purview of this legislation, he will find suitable provision later on in other clauses of the Bill. The whole purpose for which the Maharaja has sought to move this motion would, I am sure, be covered by that relevant clause. In view of this, I would request the Maharaja of Cossimbazar not to press his amendment.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I would just say one word. I think the Maharaja is misunderstanding. The object of the Bill is not to tax agricultural income outside Bengal. That is made clear by the preamble and the short title of the Bill. This is necessary owing to the necessity of conforming to the definition of "agricultural income" in the Indian Income-tax Act and it is necessary also in view of the structure of our Act. There is no intention whatsoever to tax agricultural income outside Bengal by this Bill.

Rai HARENDRA NATH CHAUDHURI: Sir, I want to say a few words on this motion. The motion that has been moved by the Maharaja of Cossimbazar cannot be brushed aside with so few words and on a technical ground, as has been done by the Hon'ble Minister in charge. The Maharaja thought—of course he was under a wrong impression—that by using the words "British India", the ambit of taxation was being enlarged. That is not the case. The question is not whether the land of which the income is going to be taxed, is properly described by adding the words "assessed to land revenue in British India" or assessed to land revenue in any province. The real and relevant question is whether there are any lands which are not assessed to any land revenue. That question came up before the Bihar High Court. The original language in the Bihar Act was "any rent or income derived from land which is used for agricultural purposes and is either assessed to land revenue in Bihar or subject to a local cess or rent assessed and collected under any Bengal Act or under any Bihar and Orissa Act or under any Bihar Act". The reference was to a provincial or Bihar Act in the Bihar definition, but, Sir, the question arose whether what was called *nishkar* land or non-revenue-paying land would come under that description. That question arose and it was found that, so far as lands not paying revenue were concerned, such lands could not be taxed if such a description prevailed. Therefore, Bihar changed subsequently the phraseology of this definition by Act I of 1942 and it changed the words "a local rate or cess assessed and collected under any Bengal Act or Bihar and Orissa or any Act" by substituting the words "a local rate assessed and collected by officers of the Crown as such" simply to bring under the purview of the Act what are called *nishkar* lands. Just for that reason Bihar changed the description, otherwise there would have been no necessity for changing the phraseology of the Bihar Act at all, otherwise it was decided in Jhalakprasad's case, I.L.R. 22 Patna, that by simply describing the land as "assessed to land revenue in Bihar", no

offence was committed by the Bihar Legislature and the Act was in no way *ultra vires* on that account. You can have it assessed to land revenue in Bengal or assessed to land revenue in British India in respect of revenue-paying lands. It is immaterial whether we describe it as assessed to land revenue in India or assessed to land revenue in Bengal. Bengal lands must be assessed to land revenue in Bengal, lands in Bengal cannot be assessed to land revenue in any other parts of India. Therefore, this phrase is immaterial and if you change "India" into "Bengal", no offence would be committed according to the decision of the Bihar High Court. It is only due to the anxiety to copy the Indian Act with a vengeance that it is thought it might bring the heavens down if any word is changed. Otherwise, if the Maharaja's amendment is accepted, there cannot be any legal difficulty, but whether the Maharaja's amendment is immaterial or not is altogether a different matter.

Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I beg to move that in clause 2(*b*), the following explanation be inserted, namely:—

"*Explanation.*—The word 'cultivator' includes a producer who does not cultivate lands himself but carries on agricultural work by paid labourers."

Sir, my idea in moving this amendment is quite a simple one. By this amendment I propose to clear the meaning of the word "cultivator" and to put it in conformity with the other sections of the Bill. I believe there will not be any objection to my amendment.

Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that the following explanation be added at the end of sub-clause (*1*) of clause 2:—

"*Explanation.*—The word 'cultivator' in this definition includes a person who does not cultivate his lands himself but carries on agricultural operations with the aid of hired labourers."

I think this explanation is absolutely necessary, Sir, in view of the fact that we are going to tax under this law not only income from rent but also that from agriculture and agricultural pursuits.

Sir, we are going to tax "mixed incomes" as described by the Bill, namely, incomes from tea, sugar, etc. The tea interests or the sugar interests do not cultivate their lands themselves. They employ hired labourers to raise crops and to raise plants. This is the practice that obtains in tea estates and in sugar estates, and, Sir, it has got to be admitted that we are going to tax incomes from tea estates as also from sugar estates. If that be the case, then word "cultivator" should be defined properly. Some may say that you are enlarging the definition and, therefore, you are trespassing into the domain of the Central Act and you are going to make the Act *ultra vires* to that extent. That is not the case, Sir. I repeat again that the question arose in a Bihar case and the Bihar High Court came to the decision that you can alter or change words used in the definition given in the Central Act, you can introduce new phrases also, if you do not extend the field of taxation, verbal changes can do no possible harm. So far as my suggested explanation of "cultivator" is concerned, that does not in any way extend the meaning of cultivator at

all, that simply elucidates or rather puts down the dictionary meaning of the word. If you consult any dictionary you will find that the word "cultivator" means a person who cultivates or raises crops or plants. Therefore a cultivator need not necessarily till his own land. He may employ hired labourers to raise crops. If that be the dictionary meaning then simply by adding this explanation I do not extend the meaning of the word or field of taxation in any way. Sir, you will find in the Bihar Act the word "revenue" has not been used in the definition. In the definition of agricultural income, the word "revenue" used in the India Act, has been changed to "income" in the Bihar Act. Not only that, certain new words have been introduced in the Bihar definition also such as "cesses collected under any Bengal Act". You will not find these words in the Central Act, but these words appear in the definition of the Bihar Act and it has been held by the Bihar High Court that addition of these words or change of the word "income" into "revenue" or "revenue" to "income" has not done any mischief. Sir, you will also find in the definition given in the Assam Act of agricultural income an explanation has been added regarding tea income. If by introducing an explanation regarding tea the Assam Act has not gone against the Central Act, why should the Bengal Act, simply by introducing the explanation of the word "cultivator", do any mischief, I cannot understand, particularly when the explanation that I am going to suggest is only giving the dictionary meaning of the word. It does not in any way extend the scope of the definition and so long as any amendment does not so enlarge the meaning as to extend the field of legislation, it cannot do any possible harm. I, therefore, suggest that the definition of agricultural income should be made explicit by introducing an explanation of the word "cultivator" and I repeat again that the explanation that I have suggested only gives only the dictionary meaning of the word and does not in any way extend the field of legislation. On the contrary, if the explanation be not added the word "cultivator" may be taken in the narrow sense of a tiller or a *rayat*, and difficulties may arise in the future from such interpretation.

Dr. NALINAKSHA SANYAL: Sir, I beg to move that clause 2(*1*)(*c*) be omitted.

Here I am on safer grounds than in the previous case. I am seeking to delete one portion of the definition of "agricultural income" as given in the Income-tax Act. Later on it will be noticed that the Select Committee has kept out of the purview of the present legislation building and land owned and occupied by a receiver or by a cultivator under certain circumstances. In view of that wise decision of the Select Committee, I am inclined to think that the retention of this portion of the definition of agricultural income is unnecessary and may be misleading. I again reiterate my observation as well as the explanation given by Rai Harendra Nath Chaudhuri that we are entitled to delete such portions of the definition of agricultural income which do not seek to extend the ambit of the taxation, but we cannot so alter the definition as to widen the extent of taxation.

With that view of the thing, I am moving this amendment and I hope that the Hon'ble Minister in charge, in view of the subsequent changes effected, will have no difficulty in accepting my amendment.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, it is now clear that income derived from building is not to be taxed. But I draw the attention of the Hon'ble Minister to sub-clause (*i*) of clause 5, viz., "Save as otherwise provided by this Act, the following heads of agricultural income shall be chargeable to agricultural income-tax (in the manner hereinafter appearing), namely:—(*i*) agricultural income as defined in sub-clause (*a*) of clause (1) of section 2 and (*ii*) agricultural income as defined in sub-clause (*b*) of clause (1) of section 2. Sub-clause (*b*) of clause (1) of section 2 includes income derived from building, but as we are not going to tax income derived from building by sub-clause (*ii*) of clause 5, if we keep the definition as it is in the Select Committee it will be anomalous. My submission, therefore, before you is that this portion of the definition, i.e., "income derived from building" should be deleted and by the deletion of this expression no harm will be caused to the revenue as it is in the scheme of this Bill that the income derived from building is not to be taxed. So, I wholeheartedly support the motion which has been moved by my honourable friend Dr. Sanyal.

Dr. GOBINDA CHANDRA BHAWMIK : এই amendment move করা বিষয়ে আমার বক্তব্য এই যে agricultureএর জন্য এবং agricultural produce যে কোন জিনিষ বিক্রয় করা, সে জন্যও বাড়ীর দরকার। আর agricultural income যেখানে assess হবে সেজন্যও ঐগুলি বাড়ীতে রাখা দরকার। কাজেই যদি তার উপর ট্যাক্স ধরা হয় তাহলে double taxation হবে। আমার বক্তব্য এই যে শুধু productionএর উপর ট্যাক্স হওয়া উচিত, যার through দিয়ে production হবে সেগুলির উপর tax করা উচিত নয়। কাজেই আমি গভর্ণমেণ্টকে অনুরোধ করি তাঁরা যেন এই amendment গ্রহণ করেন।

Maharajadhiraja UDAY CHAND MAHTAB Bahadur, of Burdwan: Sir, the amendment already moved is consequential. The Select Committee have exempted the income from buildings from the scope of the measure. It is therefore in the fitness of things that agricultural income as defined in the Bill should exclude income from buildings. There may be legal complexities if the income from buildings is excluded while the definition of agricultural income under the Bill includes income from buildings. Already previous speakers have pointed out the reasons for this amendment. Therefore I do not want to take up the time of the House but I think that it would be a good thing if the Hon'ble Minister accepted this amendment.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: As regards the objections taken to clause 2(*1*)(*c*), there seems to be some amount of misunderstanding, as I gather from Dr. Bhawmik's speech. Let me point out that this is not a charging section. This is only a definition section and nowhere in the Bill are buildings proposed to be taxed. The retention of sub-clause (*c*) will not create confusion. It reproduces exactly the definition of agricultural income as given in the Indian Income-tax Act. As Dr. Bhawmik has very pertinently said, buildings are necessary for farms

and so on. That is quite true. They are a means by which agricultural income is derived. But we are not specifically taxing buildings. That was the decision of the Select Committee. Therefore there is no harm in defining agricultural income in the comprehensive way in which the Indian Income-tax Act has defined it. Otherwise, the definition would be an incomplete definition.

Rai HARENDRA NATH CHAUDHURI: May I put a question to the Hon'ble Minister?

Mr. SPEAKER: Yes.

Rai HARENDRA NATH CHAUDHURI: Is the Hon'ble Minister aware that the Bihar Act has excluded (*c*)?

Mr. ABDUR RAHMAN SIDDIQI: Sir,——

Mr. SPEAKER: I understand——

Mr. ABDUR RAHMAN SIDDIQI: I have not even uttered a word. You do not give me a chance to speak. You allow Dr. Sanyal to speak for one hour but you don't give me even a minute.

Mr. SPEAKER: It is a question of discussion of the provisions of the Bill. In view of the fact that clause 2 was taken up before clause 1, the members were not ready. That was the complaint made. I don't think that there will be anything wrong if a member is allowed just to put a question?

Rai HARENDRA NATH CHAUDHURI: May I invite the attention of the Hon'ble Minister to the fact that the Bihar Act has excluded (*c*)? When a question arose in a High Court case at Patna, it has been held that by taking out (*c*) no offence has been committed and the Act is perfectly *intra vires*.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I know very well that the Bihar Act does not have a similar sub-clause (*c*) but there is absolutely no reason why we should not make our definition clear and comprehensive. That is the only reason for the sub-clause (*c*) finding a place in the Bill.

Mr. DHIRENDRA NATH DATTA: That will create confusion.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I am convinced that it will not create confusion.

Adjournment.

The House was adjourned at 6-20 p.m. till 3-30 p.m. on Tuesday the 15th February, 1944, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 15th February, 1944, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI), in the Chair, 13 Hon'ble Ministers and 178 members.

STARRED QUESTION

(to which oral answer was given)

Release of "State" and security prisoners to help in the relief works.

***85. Mr. NIHARENDU DUTT-MAZUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether he has received any communication addressed to him by a number of State and security prisoners of the Presidency Jail—

(*i*) offering to Government their joint services for the purpose of helping to minimise the suffering of the people in distress owing to the present economic condition of the country, in response to the speech of the Hon'ble Chief Minister at Uttarpara; and

(*ii*) asking for release for the purpose?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the date when he received the communication;

(*ii*) the date when it was submitted to the jail office;

(*iii*) the number and names of the signatories; and

(*iv*) whether he has replied to the said communication?

(*c*) If he has not received the communication, does the Hon'ble Minister propose to make an enquiry as to whether any such communication addressed to him was, in fact, submitted in the jail office?

(*d*) Will the Hon'ble Minister be pleased to state whether Government propose to accept the offer referred to in (*a*)?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes.

(*b*) (*i*) 30th August, 1943.

(*ii*) I have no information.

(*iii*) A statement is laid on the Library Table.

(*iv*) Yes.

(*c*) Does not arise.

(*d*) No.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state whether the Government was satisfied that these people really meant to serve the cause for which they applied for their release?

The Hon'ble Khwaja Sir NAZIMUDDIN: That I cannot say, Sir.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state the contents of the reply given by him?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, as far as I can remember, we regretted that we could not release them.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to tell us whether any of those security prisoners have been released on any other ground?

The Hon'ble Khwaja Sir NAZIMUDDIN: I want notice.

Mr. ATUL CHANDRA SEN: Was there any indication in the said petition as to whether the petitioners made it clear that they would not take part in any political movement after release?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

UNSTARRED QUESTION

(answer to which was laid on the table)

Destruction of crops in Daudkandi and Homna by water-hyacinth since 1915.

34. Mr. DHIRENDRA NATH DATTA: (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state whether the Government are aware that in the subdivision of Brahmanbaria and in the Sadar subdivision of Tippera, especially in Daudkandi and Homna, there are large areas where crops are being destroyed by water-hyacinth since the year 1915?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether it is a fact that the people of many such localities have petitioned to the respective—

(*i*) Subdivisional Officers;
(*ii*) the Collector; and
(*iii*) the Government of Bengal for removing the distress caused by the water-hyacinth by the construction of fences under section 13 of the Water-hyacinth Act, 1936?

(*c*) Is the Hon'ble Minister considering the desirability of taking immediate steps in the matter in view of the recent "Grow More Food" campaign?

MINISTER in charge of the AGRICULTURE DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) Prior to 1935 crops in some areas of the Brahmanbaria subdivision were being destroyed by water-hyacinth, but since 1935 the position has much improved there

It is a fact that crops in certain areas of the Daudkandi and Homna thanas of the Sadar subdivision of Tippera are being damaged by the aforesaid pest since 1915.

(*b*) No.

(*c*) Fences were constructed in some of the affected areas. Applications for further fencing will be sympathetically considered when received.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state how many fences were constructed and in which areas?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: No fences were constructed under the Bengal Water-Hyacinth Act but fences were constructed by private agriculturists here and there for their own benefit.

Mr. DHIRENDRA NATH DATTA: Do the Government consider the desirability of constructing the fences under the Water-Hyacinth Act?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Certainly; if applications are made for the purpose, they will be sympathetically considered.

Mr. ABUL HOSAIN AHMED: With reference to answers (*b*) and (*c*), I find that the Hon'ble Minister has said in reply to (*c*) that "applications for further fencing will be sympathetically considered when received", but in reply to (*b*), he has said, "No". Are not these two replies contradictory in character?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: No application was made to the Subdivisional Officers or to the Collector or to Government for the construction of fences under the Act, but in some of the areas fences were constructed by the agriculturists themselves with their own private efforts.

Mr. ABUL HOSAIN AHMED: The question (*b*) is whether it is a fact that the people of many such localities have petitioned to their respective officers for removing the distress caused by the construction of fences, and the answer thereto is, No. But from the answer to (*c*), namely, that fences were constructed in some of the affected areas, it is clear that such petitions were received and fences were constructed in some of the affected areas; still, in reply to (*b*), Government says that no petition was received.

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: With reference to (*b*) the answer is, "no", because under the Water-Hyacinth Act no action was taken, but outside the purview of the Act action was taken as I have mentioned in my answer to (*c*).

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us whether it is a fact that no petition was received at any time by the Subdivisional Officers or the Collector?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: My information is that no petition under the Act was received, but it may be that general petitions were received.

Dr. ABDUL MOTALEB MALIK: With reference to answer (*c*), will the Hon'ble Minister be pleased to state whether in the absence of any application Government do not think that it is their duty to take an initiative in removing the water-hyacinth pest?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: As present we have got a rural development staff who are entrusted with the work of rural development and people will have to file applications before them and then action will be taken.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state whether any survey has been made in the subdivision of Brahmanbaria or in the Bhati area of the district of Mymensingh for removing this pest?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: No survey has been made but we know that in Brahmanbaria subdivision and in the Bhati area of Mymensingh there have been ravages of water-hyacinth to a very great extent.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister consider the desirability of making a survey of the particular districts affected?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I have just answered that we have got a staff who have been instructed to see where such ravages are taking place and on their report steps can be taken to give relief to such areas.

STARRED QUESTION

(to which oral answer was given)

Food Census in Bengal.

***82. Mr. MANIRUDDIN AKHAND:** (*a*) Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to state, showing subdivision by subdivision, the result of Food Census in the Rajshahi district?

(*b*) Will the Hon'ble Minister be pleased to state whether foodgrains available in the district will meet the demands of the district?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state what step, if any, Government have taken or propose to take to meet local needs of the district?

(*d*) Will the Hon'ble Minister be pleased to state the reasons for taking a food census in the Province?

MINISTER in charge of the CIVIL SUPPLIES DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) A statement, showing the results of the Food Census, is laid on the Table.

(*b*) The statement will show that the district was more or less self-sufficient.

(*c*) Does not arise.

(*d*) (*i*) To ascertain the actual food position as on the 16th June, 1943, and the food requirements for the period ending the 31st December, 1943;

(*ii*) to organise Food Committees on a territorial basis;

(*iii*) to collect other necessary statistics bearing on the food problem;

(*iv*) to secure equitable distribution of foodgrains to the needy by way of loans or otherwise; and

(*v*) to detect hoards of foodgrains and to stimulate as far as practicable the liquefaction of stocks and the free flow of foodgrains along trade channels.

Statement referred to in reply to clause (a) of starred question No. 82.

[Figures in thousands of maunds.]

Subdivision.	Families.		Total food requirements in terms of rice for 6½ months from 16-6-1943 to 31-12-1943.	Stocks in terms of rice found as on 16-6-1943.	Expected yield of *aus* at 10 maunds of rice per acre.
	Number.	Members.			
1	2	3	4	5	6
Sadar .. .	119	607	1,338	353	788
Nator .. .	68	376	829	341	655
Naogaon	116	659	1,350	458	470
Total ..	303	1,642	3,517	1,152	1,913

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether there has been any change in the situation in the district since when this question was obtained?

The Hon'ble Mr. H. S. SUHRAWARDY: No, Sir. That is the general position.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the current position with regard to the requirements of the Rajshahi district for the current year and the current season? That is what I asked in the previous question.

The Hon'ble Mr. H. S. SUHRAWARDY: The previous question was with reference to the food census. The food census had been finished and the results of food census have been answered.

Dr. NALINAKSHA SANYAL: The question also relates to the food census and the requirements of the district.

Mr. SPEAKER: You cannot bring in matters not asked in the question.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Arrangement made for food and shelter of famished people.

30. Mr. PRATUL CHANDRA GANGULY: (*a*) Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to state whether it is a fact that nearly a lakh of famished people have taken shelter on the footpaths of Calcutta?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what arrangements have been made to provide them with shelter and food?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) Yes, at the time when the honourable member gave notice of this question. Conditions have, however, returned to normal now.

(*b*) All possible relief measures were taken, including the supply of food through free kitchens, cheap canteens, etc. Arrangements were also made for removing destitutes to camps for recuperation and treatment prior to repatriation to their homes.

Dr. NALINAKSHA SANYAL: With regard to the answer that arrangements were also made for removing destitutes to camps for recuperation and treatment prior to repatriation to their homes, will the Hon'ble Minister be pleased to state what number out of the total number was removed to destitutes' homes and how many of them again were repatriated to their villages?

The Hon'ble Mr. H. S. SUHRAWARDY: I ask for notice.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that there was a very large percentage of deaths from amongst the destitutes removed to relief camps and the percentage of deaths was comparatively higher than the percentage of deaths outside the camp?

The Hon'ble Mr. H. S. SUHRAWARDY: No, Sir. That is not so.

Dr. NALINAKSHA SANYAL: What is the position, Sir?

Mr. SPEAKER: That is a vague question.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what was the percentage of deaths in the relief camps?

The Hon'ble Mr. H. S. SUHRAWARDY: I am not aware of that, but I am aware of the fact that the percentage of deaths was very low.

Result of anti-hoarding drive in Bankura.

31. Mr. KAMAL KRISHNA ROY: (*a*) Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to state separately—

(*i*) the quantities of (1) rice, (2) paddy, (3) pulse, and (4) wheat as surplus stock in the district of Bankura after the preliminary operation of the anti-hoarding drive movement;

(*ii*) the number of Food Committees already organised in the (1) Vishnupur and (2) Sadar subdivisions in the district of Bankura; and

(*iii*) whether it is a fact that the working of the Food Committees has been left in the hands of the existing Union Boards?

(*b*) If the answer to (*a*)(*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any attempt was made to form the Committees on popular basis?

(*c*) If so, what was its nature?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*)(*i*) No surplus over the estimated food requirements of the district for the period from the 16th June, 1943, to the 31st December, 1943, was found.

(*ii*) Food Committees organised—

	Village.	Urban.	Union.	Thana.
(1) Vishnupur ..	155	30	53	..
(2) Sadar	2,392	17	129	13
Total ..	2,547	47	182	13

(*iii*) The Food Committees are supervised by the staff of the Jute Regulation Department. One Officer (Assistant Inspector) for every six Unions and one P.L.A. for each Union have already been posted and have taken up their duties.

(*b*) The Food Committees were instructed to be formed on a popular basis and as far as is known this has been done.

(*c*) Instructions were given to constitute the Food Committees at public meetings of the local people who were to choose their own representatives from amongst the suitable honest and public-spirited gentlemen irrespective of class, community or party.

Government order for free movement of foodgrains and obstruction of local officials.

32. Mr. DHIRENDRA NATH SEN: (*a*) Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to state whether it is a fact that cases have occurred where executive officials in the districts have not followed the Provincial Government's order in the matter of free movement of foodgrains?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps does he propose to take in the matter?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) No such case has come to my notice. It is possible, however, that action may have been taken in some instances by local officials purely with a view to safeguarding the local supply position.

(*b*) Does not arise.

Pending questions.

Mr. ATUL CHANDRA SEN: Sir, before you pass on to the next item of business may I draw your attention to the paucity of questions that are being answered by the Government every day. We have some very urgent questions pending and some of them are about the security prisoners who are hovering between life and death.

Mr. SPEAKER: I hope the Hon'ble Minister will take a note of this.

Dr. NALINAKSHA SANYAL: Sir, may I know what is the fate of my short notice questions two of which have been sent out to your departmen about a week ago? One of these questions related to the Department of Communications and Works (Irrigation) relating to the proposed cut on the right bank of the Damodar.

Mr. SPEAKER: It is very difficult to give an offhand answer to this.

Dr. NALINAKSHA SANYAL: I would like to know whether any answer from the Hon'ble Minister has been obtained.

Mr. SPEAKER: It is difficult to answer that offhand.

Mr. CHARU CHANDRA ROY: Mr. Speaker, last session I tabled a question about our leader, Mr. Sarat Chandra Bose, but this session although 15 days have passed——

Mr. SPEAKER: If you go on talking about individual questions like this, then the whole time of the House will be taken up. I quite understand your grievances with regard to questions and steps ought to be taken to redress your grievances.

Mr. ATUL CHANDRA SEN: If steps are not taken, what is the use of this sham show?

Mr. SPEAKER: If Government or the Ministers do not treat you in the manner in which you ought to be treated, the remedy lies in your hands.

Mr. ATUL CHANDRA SEN: We know how to deal with them.

Mr. NISHITHA NATH KUNDU: Is Mr. Speaker also placed like the members?

Mr. SPEAKER: If you can suggest any remedies to me, kindly see me in my chamber. I will have a talk with you.

Dr. NALINAKSHA SANYAL: The remedy lies in moving an adjournment motion to which we hope you will give your consent.

Mr. SPEAKER: I have got to go by the rules.

GOVERNMENT BILL.

The Bengal Agricultural Income-Tax Bill, 1943.

Clause 2.

Mr. H. ROWAN HODGE: Mr. Speaker, I have three amendments here on the same sub-clause of clause 2—Nos. 42, 45 and 48. Now, Sir, these are alternatives which are consequential upon amendments which I propose

to move at a later stage on clause 46 of the Bill. In those circumstances I ask your leave to postpone consideration of the amendments at this stage and to return to them after disposal of clause 46 of the Bill. Until clause 46 has been disposed of, I am unable to know which of these three amendments should be moved, Sir.

Mr. SPEAKER: Mr. Goswami, Have you any objection to this?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I have got no objection.

Dr. NALINAKSHA SANYAL: Sir, we feel that this is a very unusual request from one part of the House. While sympathising with the honourable member in his difficulties, we submit that earlier now it would be helpful to the House if the intention of the honourable member or his party is made clear while we are on this clause so that we may be in a position to understand how to deal with the other clauses. Clauses 46 to 48 appear very late in the Bill. It would be extremely difficult for us to wait till that late period to understand the position that the European Party is going to take up with regard to this measure. We would like that the arguments that Mr. Rowan Hodge and others would like to place in support of clauses 46 to 48 may very well be advanced now why he proposes these alternative amendments. In the absence of that we must take it that they agree to the clauses as they have emerged from the Select Committee. A Bill at this stage and a clause at that particular stage cannot be left as a whole undisposed of till we come towards the very end. This kind of request may come up in relation to other clauses also where some of us may feel and we have also reasons to feel that unless the whole Bill is gone into, certain other consequential amendments that we like should take effect would not be possible for us to press. In view of that, we would submit most respectfully that you would not keep these amendments held over but would request the honourable member to press their points and try to convince the House now.

Mr. A. F. STARK: I would explain, Sir, with refernce to my learned friend's remarks that these amendments relate to the definition of "world income". That definition of "world income" only affects two other clauses in the Bill—45 and 46. But until we dispose of clauses 45 and 46, our point is that it is not possible to decide the definition of "world income". I would submit, Sir, there have been many precedents for postponing definitions until the main clauses in the Bill have been settled, and that is an advisable procedure because otherwise we may find that the definitions are not in fitting with subsequent clauses as passed.

Rai HARENDRA NATH CHAUDHURI: On a point of order. Will it not be putting the cart before the horse to suggest that the definition should be taken after the relevant clauses are disposed of? We can dispose of clauses 46 and 47 only after we have a definite idea about what "world income" is going to mean. Unless the meaning of "world income" is settled beforehand, how can we proceed to consider clauses 46 and 47 which have reference to "world income". We have got to make our ideas clear first about the definition and it is only after making our ideas clear in

respect of the definition that we are going to proceed with the consideration of the relevant clauses. Otherwise, Sir, as I said before, it will be putting the cart before the horse.

Mr. SPEAKER: Mr. Stark, I find some difficulty with regard to the last point raised by Mr. Rai Chaudhuri. He says that if the definition be left open, how can they consider a particular clause which deals with that without knowing what it means.

Mr. A. F. STARK: On the other hand, if these amendments are acccepted and our subsequent amendments are not accepted, then we are in a mess.

Mr. SPEAKER: But the whole trouble is this. The same argument could have been advanced with regard to other amendments on clause 2. You say that you cannot do it until you know the position with regard to clauses 45 and 46. The position appears to be that 45 and 46 cannot be understood until the definition is known. That is the difficulty.

Mr. A. F. STARK: I would submit that the definition should follow clauses 45 and 46 and not 45 and 46 come after the definition.

The Hon'ble Mr. TULSICHANDRA GOSWAMI: I quite realise his point. If Mr. Stark could be accommodated, I have no objection.

Mr. H. ROWAN HODGE: Sir, I beg to move that in clause 2, sub-clause (*15*) be omitted.

Sir, the amendments which appear later in the list on clauses 45 and 46 which I propose to move in due course if carried will have the effect of altering the present scheme of the Bill with reference to refunds where taxes are collected at source. I cannot explain these amendments without a reference to these clauses, namely, clauses 45 and 46. Clause 45 of the Bill deals with refunds generally; that is to say, where the tax-payer has been overcharged he will be at liberty to get adjustment by way of refunds. That is in general terms. Then when we come to clause 46, that deals with a special class of cases. That deals with the case of collection of tax at source and affects share-holders in companies, partners in firms and members of associations. As that clause is framed, it deprives that individual of an adjustment to bring his tax back to the rate which affects his total agricultural income by the introduction of a reference to his total world income. Total world income is found nowhere else in the Bill—a matter with which this House is not really concerned, but the object of this reference to total world income is to restrict the basis on which those refunds are to be granted. In the result, that class of tax-payers is to suffer by having to pay tax at rates which are higher than those set out in the schedule. That is a principle to which we take exception and when we reach that clause I shall move for the deletion of clause 46 and for the introduction of this class of refunds into the general clause 45. It follows from that that if clause 46 goes, the need for a definition of "total world income" also does not arise. In those circumstances, Sir, I move for the deletion of clause 2(*15*).

Mr. SPEAKER: Mr. Hodge, will you move amendment No. 48 also?

Mr. H. ROWAN HODGE: Sir, I am placed in a difficulty by not being able to postpone it till the consideration of clauses 45 and 46. I must also move amendment No. 48. Sir, I beg to move that in clause 2 (*15*), sub-clause (*c*) be omitted.

Mr. SPEAKER: In that case, you have got to add something more. That "and" should be deleted from (*b*).

Mr. A. F. STARK: That can be done by the Secretary.

Dr. NALINAKSHA SANYAL: That is a drafting matter. Besides, that is not necessary.

Mr. SPEAKER: Yes, that is not absolutely necessary.

Mr. H. ROWAN HODGE: Sir, that is not peculiar to amendment No. 48. Now, Sir, this amendment is an alternative to amendment No. 45 which I have just moved and refers to sub-clause (*c*) of clause 2 (*15*). Sub-clause (*c*) of clause 2 (*15*) which was added by the Select Committee includes in the definition of total world income agricultural income derived from land in British India excepting Bengal.

Now, Sir, the effect of this is that the definition of total world income in this Bill is to go beyond the scope of the definition of total world income in the Indian Income-tax Act. We have been told by Government that the reason why share-holders and partners are to be treated on a basis different from other tax-payers in this province is that it it were not for this purely artificial distinction between the Central income-tax and the provincial income-tax, if all taxes were levied by the Centre, we should be charged on the basis of total world income. But that means total world income as defined in the Indian Income-tax Act. Accepting the principle, which I do not, that one class of tax-payers should be treated differently from all others and should be taxed with reference to their total world income there seems to be no logical ground why the definition of total world income should go beyond the definition contained in the Indian Income-tax Act.

Rai HARENDRA NATH CHAUDHURI: Sir, I am afraid Mr. Rowan Hodge's anticipatory speeches have not been very clearly understood by the House, because his speeches are all relevant if the House is in a mood to consider clauses 45 and 46 here and now. If only those clauses are examined by the House, only in that case a speech in connection with those clauses can be understood, otherwise his speech is altogether unintelligible. Sir, he proposes that the definition of total world income should not be settled now in view of the fact that he has certain amendments to move in connection with clauses 45, 46, 47, etc. Now, if you please turn to the amendments that have been tabled by Mr. Hodge regarding those clauses, you will see that he proposes that refund should not be computed with reference to the world income at all. If he desires to move such a proposition that the refund should not be calculated at all with reference to the total world income, then there may be no necessity at all of even defining total world income. But if total world income has got to be defined, it is to be defined

first and after we have the definition of total world income settled, we can proceed with the consideration of those clauses which have reference to total world income. In the Central Act you will see there was no definition of total world income before. It is only lately by an amending Act that the definition of total world income has been introduced in the Central Act. Now, the definition that has been given in the Bill before us of total world income proceeds on the basis of the definition of total world income as given in the Central Act. If that be so, then there can be no question of quarrel about the definition of total world income at all. Whether a certain class of persons will get a refund without reference to the total world income or with reference to such income is altogether a different question and that question will be properly dealt with in connection with clauses 45 and 46. But now we are only defining total world income on the lines indicated in the Central Act and there can be no difficulty therefore of adopting the definition of total world income at this stage. It will be putting the cart before the horse to discuss clauses referring to total world income without previously defining total income as suggested.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, the total world income evidently means income derived in any part of the world. As a matter of fact, if you look to the definition of the Indian Income-tax Act there it is stated that "total world income" includes all incomes, profits or grains wherever accuring or arising.

Mr. ROWAN HODGE: On a point of order, Sir. If the honourable member quotes the definition from the Central Income-tax Act, must he not quote it correctly and completely? He has only read a portion of the definition.

Mr. SPEAKER: That is not a point of order. He can quote whatever portion he likes.

Mr. A. F. STARK: If he is quoting from an Act?

Mr. SPEAKER: Yes, he may do so.

Mr. DHIRENDRA NATH DATTA: Mr. Hodge, I know, has got in his mind clause 46 of this Bill. Clause 46 deals with "refunds of tax deemed to have been paid by companies, firms and associations on behalf of others" The scheme of the Act is that the company will pay tax at the rate of 2 annas 6 pies in the rupee. But when the company pays on behalf of its share-holders, there is a provision that equitable relief may be given to the share-holders. As the company pays the tax on behalf of its share-holders, the share-holders are entitled to get a refund under section 46 of the Bengal Agricultural Income-tax Bill. The question is what will be the rate of difference. Mr. Hodge quarrels with the rate of difference betwen the rate of total agricultural income applicable to such companies, etc., and the average rate which would be applicable to the total world income of such share-holders. Mr. Hodge's complaint is about the total world income of such share-holders, but the fact remains that we shall have to consider the

question of refunds. As we shall have to consider the question of refunds there is a necessity for the definition of "total world income". Mr. Hodge need not be apprehensive. If he can influence the House then while dealing with clause 46 of the Bill he will get a greater relief. This definition will not injure him in the least, but there is the necessity of this definition at this stage. So I do not think that Mr. Hodge has been well advised to move his amendment at this stage.

With these few words I oppose the amendment that has been proposed by Mr. Hodge.

Mr. A. F. STARK: I am afraid we cannot quite agree with my honourable friend, Mr. Dhirendra Nath Datta. We do feel that if sub-clause (*15*) is passed the position will be prejudiced as regards clause 46. We find it rather difficult to understand why honourable members from the Opposition, my friends, Mr. Dhirendra Nath Datta and Rai Harendra Nath Chaudhuri, should be defending Government. Usually we find that the Opposition opposes Government. However it may be that in this case my friend, Rai Harendra Nath Chaudhuri, seeks to distract attention from his own amendments by attacking the unfortunate European party. (Mr. SHAMSUDDIN AHMED: Why unfortunate, very fortunate party.) I would like to stress the point already made by Mr. Rowan Hodge that the definition of the total world income in the Indian Income-tax Act does not include agricultural income of any sort whether arising outside or in this Province. If Mr. Datta really reads the definition I am sure he will agree with me and I would like to stress that our main point is that we think there should be no discrimination between tax-payers and tax-payers. All tax-payers should be entitled to refunds on the same basis. We should not have one class of tax-payers only entitled to refunds on the total world income basis

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I am afraid I have to oppose this amendment. It is extremely necessary to have a definition of total world income and any refund to be made must be made on the basis of total world income. I shall deal with this more fully when we come to amendments to clause 17. But I shall just point out that unless we make the total world income the basis of our refund it may be that we shall not be having any tax at all from certain people. We may have to refund the whole tax assessed. I won't say many words more because I think Rai Harendra Nath Chaudhuri has made the position quite clear and I must insist that any refund that may have to be made will be made on the basis of total world income.

Mr. SPEAKER: Of all the amendments that are in order amendments Nos 20, 28, 29, 30, 45 and 48 have been moved. I shall now put these amendments one after another.

The motion of Maharaja Srischandra Nandy, of Cossimbazar, that in clause 2(*1*)(*a*) in line 3, for the words "in British India" the words "in Bengal" be substituted was then put and lost.

The motion of Maharaja Srischandra Nandy, of Cossimbazar, that in clause 2(*b*), the following explanation be inserted, namely:—

"*Explanation.*—The word 'cultivator' includes a producer who does not cultivate lands himself but carries on agricultural work by paid labourers.",

was then put and a division taken with the following results:—

AYES—44.

Abdul Majid, Maulvi (Mymensingh).
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Badi Ahmed Choudhury, Khan Bahadur Haji.
Barma, Mr. Puspajit.
Barman, Mr. Upendra Nath.
Bhawmik, Dr. Gobinda Chandra.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Radhanath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Gyasuddin Ahmed Choudhury, Alhadj.
Hasan Ali Chowdhury, Mr. Syed.
Hashem Ali Khan, Khan Bahadur Maulvi.
Jalaluddin Hashemy, Mr. Syed.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Mahtab, Maharajadhiraja Bahadur Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Maniruzzaman Islamabadi, Maulana Md.
Mookherjee, Dr. Syamaprasad.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nandy, Maharaja Srishchandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanyal, Dr. Nalinaksha.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Sen Gupta, Mrs. Nellie.
Shamsuddin Ahmed, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Waliur Rahman Maulvi.

NOES—71.

Abdul Hafiz, Mr. Mirza.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Latif Biswas, Maulvi.
Abdul Metaleb Malik, Dr.
Abdul Wahab Khan, Khan Bahadur.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur, A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rashed, Maulvi Md.
Abul Hosain Ahmed, Mr.
Abul Maud, Kazi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Barma, the Hon'ble Mr. Promhari.
Barman, Babu Shyama Prosad.
Biswas, Babu Laksmi Narayan.
Biswas, Mr. Rasik Lal.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Dass, Babu Debendra Nath.
Emdadul Haque, Kazi.
Fazlul Qusdir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Goswami, the Hon'ble Mr. Tulsi Chandra.
Gupta, Mr. J. N.
Griffiths, Mr. G.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hatemally Jamaddar, Khan Sahib Maulvi.
Hodge, Mr. H. Rowan.
Jalaluddin Ahmad, the Hon'ble Khan Bahadur, Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kumar, Mr. Atul Chandra.
McPherson, Mr. G. P.
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera)
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mohammed Ali, Khan Bahadur.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Abdul Halim Mollia, Mr.
Muhammad Israil, Maulvi.
Mukherjea, the Hon'ble Mr. Tarakanath, M.B.E.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruf Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustaguwal Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Pain, the Hon'ble Mr. Barada Prosanna.
Powell, Mr. J. A.
Razaur Rahman Khan, Mr.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sahebe-Alam, Mr. Syed.
Sarkar, Babu Maduendan.
Shahabuddin, the Hon'ble Mr. Khawaja, C.B.E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Lilla Munda.

Smytho-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Wordsworth, Mr. W. C., C.I.E.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.
Zillur Rahman Shah Choudhury, Maulvi.

The Ayes being 44 and the Noes 71, the motion was lost.

The motion of Rai Harendra Nath Chaudhuri that the following explanation be added at the end of sub-clause (1) of clause 2:—

"*Explanation.*—The word 'cultivator' in this definition includes a person who does not cultivate his lands himself but carries on agricultural operations with the aid of hired labourers.",

was then put and lost.

The motion of Dr. Nalinaksha Sanyal that clause 2(1)(c) be omitted was then put and a division taken with the following results:—

AYES—44.

Abdul Majid, Maulvi (Mymensingh).
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Badi Ahmed Choudhury, Khan Bahadur Haji.
Barma, Mr. Puspajit.
Barman, Mr. Upendra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Radhanath.
Das Gupta, Dr. J. M.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Gyasuddin Ahmed Choudhury, Alhadj.
Hasan Ali Chowdhury, Mr. Syed.
Hashem Ali Khan, Khan Bahadur Maulvi.
Jalaluddin Hashemy, Mr. Syed.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Mahtab, Maharajadhiraja Bahadur Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Maniruzzaman Islamabadi, Maulana Md.
Mookerjee, Dr. Syamaprasad.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nandy, Maharaja Srischandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanyal, Dr. Nalinaksha.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Sen Gupta, Mrs. Nellie.
Shamsuddin Ahmed, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Wallur Rahman, Maulvi.

NOES—67.

Abdul Hafiz, Mr. Mirza.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Latif Biswas, Maulvi.
Abdul Motaleb Malik, Dr.
Abdul Wahab Khan, Khan Bahadur.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman, Siddiqi, Mr.
Abdur Rasehid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abul Hosain Ahmed, Mr.
Abul Masud, Kazi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Barma, the Hon'ble Mr. Prombari.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakraborty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Manmohan.
Dass, Babu Devendra Nath.
Emdadul Haque, Kazi.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Goswami, the Hon'ble Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hatemally Jamadar, Khan Sahib Maulvi.
Jalaluddin Ahmad, the Hon'ble Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kumar, Mr. Atul Chandra.
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mohammed Ali, Khan Bahadur.
Mollah Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Abdul Halim Mollia, Mr.
Muhammad Israil, Maulvi.
Mukarjea, the Hon'ble Mr. Tarakanath, M. B. E.

Mallick, the Hon'ble Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur
Mustaqawal Haque, Mr. Syed.
Nasrullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K. C. I. E.
Pain, the Hon'ble Mr. Baruda Prosanna.
Razzar Rahman Khan, Mr.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sahebe-Alam, Mr. Syed.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C. B.-E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Tamizuddin Khan, the Hon'ble Mr.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.
Zillur Rahman Shah Choudhury, Maulvi.

The Ayes being 44 and the Noes 67, the motion was lost.

The motion of Mr. H. Rowan Hodge that in clause 2, sub-clause (*15*) be omitted was then put and lost.

The motion of Mr. H. Rowan Hodge that in clause 2(*15*), sub-clause (*c*) be omitted was then put and lost.

The question that clause 2 stand part of the Bill was then put and agreed to.

Clause 3.

Rai Bahadur JOGESH CHANDRA SEN: Mr. Speaker, Sir, I beg to move the amendment which stands in my name, namely, that in clause 3, in lines 6 and 7, the words "every Ruler of an Indian State" be omitted.

In the year 1944, in the days of equality and fraternity, we do not consider that the Ruler of an Indian State is not an individual and that he is a super-human being. So I think these words are not necessary because of the fact that it is covered by the words "every individual" It says, "agricultural income-tax shall be charged for each financial year in respect of the total agricultural income of the previous year of every individual". Certainly the Ruler of an Indian State is an "individual" and there is no necessity of making any special mention of that. If you want to mention anybody or any special class of people such as the Ruler of an Indian State, then I should think, Sir, that you should also mention some other nations who are acquiring land here. You know, Sir, and the House knows and everybody knows here that our friendly nations are acquiring vast tracts of land. They are taking lands on lease for 15 or 20 years. The Washington Town is under construction, the Roosevelt Town is under construction, and our friendly nation has taken charge of the railways and many other things connected with Government, and under the Lease and Lend policy they have taken charge of many things as mortgages. I am afraid they have taken possession of many things and they may some day come forward and ask our European friends to clear out and quit India—not we but they will ask to quit India.

Mr. SPEAKER: Rai Bahadur, you are talking on the amendment. Are these things relevant?

Rai Bahadur JOGESH CHANDRA SEN: Yes, Sir, it is necessary to mention the friendly powers, because if you mention the Indian Ruler you should also mention Allied Nations.

Mr. SPEAKER: That is all right; you need not dilate on that.

Rai Bahadur JOGESH CHANDRA SEN: Sir, I move this amendment and I think it is quite in order.

Dr. NALINAKSHA SANYAL: Sir, I beg to oppose the amendment moved by Rai Bahadur Jogesh Chandra Sen.

Mr. SPEAKER: I think it will be better if all the amendments be moved and there be one speech.

Dr. NALINAKSHA SANYAL: How can that be possible, Sir? Here every other amendment may refer to some other subject.

Mr. SPEAKER: Don't you think that that will save time? I suggest after all the amendments are moved and discussed there will be voting one by one.

Dr. NALINAKSHA SANYAL: There are different items, and every discussion must be confined to the issue raised by an amendment.

Mr. SPEAKER: Discussion may be on the whole clause.

Dr. NALINAKSHA SANYAL: But the whole clause will be dealt with separately.

Mr. SPEAKER: That is another matter, but I think it is only a question of convenience as regards disposing of the matter. Will you kindly resume your seat? I am just considering the desirability as to whether all the amendments can be moved first and then speakers can speak. Will that be inconvenient to you?

Dr. NALINAKSHA SANYAL: Absolutely not. Sir, if you read the amendments you will find that the nature of the suggestions contained there varies very greatly one from the other and it is not possible to cover in one speech different varieties of speeches.

Mr. SPEAKER: All right, go on.

Dr. NALINAKSHA SANYAL: Sir, I am afraid my friend Rai Bahadur Jogesh Chandra Sen has not followed very carefully the implication of the use of the expression "every Ruler of an Indian State". Here while charging agricultural income-tax certain categories of probable assessees are mentioned, and it is common knowledge that within the province of Bengal some Indian States like the State of Tripura and Cooch Behar and Darbhanga and other zemindars from outside have got large properties and some of the Indian States which have got large properties here are not subject to taxation under the Indian Income-tax Act. The Rulers of Indian States, unfortunately for us, stand as a class by themselves and are at the present moment not within the purview of the Central Legislature far less of the Provincial Legislature and unless we specifically mention them in regard to properties held by them within the Province, a plea may be taken later on that these Rulers of States, although they have properties within the Province and earn agricultural income from such properties within the Province, may not be assessable to our taxation or may remain free and in that event there is just the possibility of some of these Rulers of Indian States extending their properties here and some *bona fide* residents of this

place may by *benami* have their properties transferred in the name of Rulers of Indian States. These are the contingencies which we must very carefully avoid and therefore I would request the Rai Bahadur not to press his motion, because as yet although we would wish the same, we have not reached the stage of equality or fraternity which he so fervently hoped we had reached

With these words, I oppose the motion.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I must oppose the amendment moved by Rai Bahadur Jogesh Chandra Sen for very obvious reasons. Indian Rulers form a category by themselves as regards their rights and privileges. We are just trying to treat them on the same footing as other prospective assessees. It is only to see that they should not escape payment of this income-tax that we are specifically mentioning them

Rai Bahadur JOGESH CHANDRA SEN: Sir, I beg to move that the proviso to clause 3 be omitted.

Sir, my reason is this. Of course I know that this income will be only a book adjustment, but if you kindly look at the proposed amendments Nos. 443-463 to Preamble you will find there suggestions to this effect that this income should be spent solely for the improvement of agriculture or projects connected with agricultural improvement. So if Government derive any income from agriculture that income also should go for the improvement of agriculture. For that reason only, if not for anything else I submit that this proviso should be omitted, so that Government income, though that may be only a book adjustment, may also be diverted for the improvement of agriculture. These are my points.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I oppose the motion. The property of the Central Government is exempt from taxation by the provinces under section 154 of the Constitution Act. As regards properties of the Government of Bengal it is hardly necessary to tax them, because the tax would be paid from the coffers of the Government of Bengal

Mr. ADWAITA KUMAR MAJI: Sir, I beg to move that in the proviso to clause 3 in line 3, the words "or any local authority" be omitted.

Sir, এই বিলে Local Authority ব্যাখ্যা করিয়া দেওয়া হয় নাই। ইহাতে District Board, Local Board, Local Self-Government Act or Municipalities অথবা Union Board-গুলিকে বিলের আওতা হইতে বাদ দিতে চান্ তাহা হইলে স্পষ্ট করিয়া নির্দ্দেশ দেওয়া দরকার নতুবা আমি এই Local Authority শব্দটি বিলের clause হইতে বাদ দিবার জন্য যে সংশোধন প্রস্তাব এনেছি তাহা মন্ত্রীমহাশয়কে গ্রহণ করিতে অনুরোধ করিতেছি।

Dr. NALINAKSHA SANYAL: Sir, on this motion also we in our party feel that we cannot agree with the mover of the motion. This clause relates to agricultural income earned by or derived from lands belonging to the Provincial Government, the Central Government and certain local authorities like municipalities and district boards. We would rather like to see that if there is any possibility of exemption, and this proviso gives exemptions to the Central Government, Provincial Government and local authorities, this exemption should not be encroached upon because many municipalities and

district boards hold properties not for the benefit of individuals but for the benefit of the community. And when there is an exemption provided for the community at large, there should be no attempt to tax such institutions, because it will ultimately react on the community itself. I will soon place before you the view that we hold in this connection when I deal with the next motion, which I will move.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, most of the local bodies have to come to Government for grants-in-aid and additional assistance and there is no point in taxing their agricultural income, because that would be an additional ground for increased grants-in-aid, and I see no reason for assessing the lands owned by municipalities.

Dr. NALINAKSHA SANYAL: Sir, I beg to move that in clause 3, in the proviso, in line 3, after the words "Local authority", the words "or any public institution registered under the Societies Registration Act, 1860 (Act XXI of 1860)" be added

Sir, as I have already explained just now while opposing the previous motion, our purpose is to see that properties belonging to institutions that are serving the public at large should not be taxed, because such institutions often have to go to Government for additional assistance. There are numerous such institutions in this province which have got lands. I know of a school which depends largely on the income that it derives from the lands or properties that belong to that school. I also know of another hospital, a charitable dispensary, which gets a very large part of its income from land endowed to it Such institutions would again come to Government for assistance by way of aids. The same argument that applies to the case of municipalities and district boards applies equally to such charitable institutions which, if they own any property and have some income out of that property, should also, in my humble opinion, be exempted from the levy of the tax. In this view of things I submit that the motion may be accepted by the House without opposition.

Mr. CHARU CHANDRA ROY: Mr. Speaker, Sir, I want to oppose this amendment We find that if this amendment is accepted all the societies registered under the Societies Registration Act will be exempted, but there are profit-making institutions and societies (Dr NALINAKSHA SANYAL: That cannot be under the Act.) Charitable institutions may be exempted. If they are not charitable instiutions, they shall not be exempted. That is my principle.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: There is no analogy between local bodies, such as municipalities and district boards, and public institutions registered under the Societies Registration Act in this matter. "Public institution" is a very wide expression. Public institutions registered under the Act may be of various kinds and even if some are worthy of assistance by Government others may not be equally worthy of such assistance. Therefore I cannot possibly agree to their being placed for the purpose of exemption on the same footing as local bodies.

Mr. UPENDRA NATH BARMAN: Sir, I submitted a short-notice amendment to clause 3 of the Bill. I want to know what has happened to it.

Mr. SPEAKER: That has been disallowed.

The motion of Rai Bahadur Jogesh Chandra Sen that in clause 3, in lines 6 and 7, the words "every Ruler of an Indian State" be omitted was then put and lost.

The motion of Rai Bahadur Jogesh Chandra Sen that the proviso to clause 3 be omitted was then put and lost.

The motion of Mr. Adwaita Kumar Maji that in the proviso to clause 3 in line 3, the words "or any local authority" be omitted was then put and lost.

The motion of Dr. Nalinaksha Sanyal that in clause 3, in the proviso, in line 3, after the words "Local authority" the words "or any public institution registered under the Societies Registration Act, 1860 (Act XXI of 1860)" be added, was then put and division taken, with the following result:—

AYES—46.

Abdul Majid, Maulvi (Mymensingh).
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Azhar Ali, Maulvi.
Banerjee, Mr. Pramatha Nath.
Barat Ali, Mr. Md.
Barma, Mr. Puspajit.
Barman, Mr. Upendra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Radhanath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deloi, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Edbar, Mr. Upendranath.
Gyasuddin Ahmed Choudhury, Alhadj.
Hasan Ali Chowdhury, Mr. Syed.
Hashem Ali Khan, Khan Bahadur Maulvi.
Idris Ahmed Mia, Maulvi.
Khan, Mr. Debendra Lall.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Mahtab, Maharajadhiraja Bahadur Uday Chand, of Burdwan.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Birat Chandra.
Maniruzzaman Islamabadi, Maulana Md.
Mookerjee, Dr. Syamaprasad.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nandy, Maharaja Srischandra, of Cossimbazar.
Naskar, Mr. Hem Chandra.
Ramizuddin Ahmed, Mr.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Sen-Gupta, Mrs. Nellie.
Shamsuddin Ahmed, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sinha, Srijut Maniendra Bhusan.
Sur, Mr. Narendra Kumar.

NOES—96.

Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Metaleb Malik, Dr.
Abdul Wahab Khan, Khan Bahadur.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abul Hossain Ahmed, Mr.
Abul Masud, Kazi.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Badi Ahmed Choudhury, Khan Bahadur Haji.
Barma, the Hon'ble Mr. Promhari.
Bell-Hart, Miss P. B.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Manmohan.
Dass, Babu Debendra Nath.
Farhat Bano Khanam, Begum.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Bogra).

Fazlar Rahman, Mr. (Mymensingh).
Gladding, Mr. D., C.I.E.
Goswami, the Hon'ble Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmed, Khan Sahib.
Hamilton, Mr. K. A.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hirtzel, Mr. M. A. F., O.B.E.
Hodge, Mr. H. R.
Jasimuddin Ahmed, Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kennedy, Mr. I. G.
Kumar, Mr. Atul Chandra.
Leisk, Mr. John.
McGregor, Mr. G. G.
McPherson, Mr. G. P.
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Mandal, the Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Maulvi.
Miles, Mr. C. W.
Mohammed Ali, Khan Bahadur.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Abdul Halim Molla, Mr.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruf Hossain, the Hon'ble Nawab, Khan Bahadur.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noorudden, Mr. K.
Norton, Mr. H. R., M.B.E.
Pain, the Hon'ble Mr. Barada Prosanna.
Powell, Mr. J. A.
Razaur Rahman Khan, Mr.
Roy, Mr. Dhananjoy.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Mundu.
Skipwith, Mr. W. E.
Smart, Mr. J. N.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Thorman, Mr. C. M.
Walker, Mr. J. R.
Walker, Mr. W. A. M., C.B.E.
Whitehead, Mr. R. B.
Wordsworth, Mr. W. C., C.I.E.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.
Zillur Rahman Shah Choudhury, Maulvi

The Ayes being 46 and the Noes 96, the motion was lost.

The question that clause 3 stand part of the Bill was then put and agreed to.

Clause 4.

Maulvi MUHAMMAD ISRAIL: Sir, I beg to move that in clause 4, in line 8, after the word "respectively" the words "after making a deduction of allowances referred to in clauses 6 and 7" be inserted.

Sir, I have some doubts with regard to this clause. This clause 4, as it stands now, provides for the total agricultural income upon which a man has to pay his income-tax. Now, as it is worded, my idea is so far as the schedule goes, that the schedule provides that a man with an income of Rs. 3,500 will not be taxed. Now, as the clause stands at present, it provides that as soon as the total agricultural income exceeds Rs. 3,500, the allowance that has been provided under sections 6, 7 and 8 will be deducted. So I would ask the Government to accept my amendment and the clause should be amended as I have proposed.

With these words, Sir, I commend my motion to the acceptance of the House.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I think the amendment is unnecessary, and I would therefore request my honourable friend to withdraw it.

Rai Bahadur JOGESH CHANDRA SEN: Sir, I beg to move that clause 4(*a*) be omitted.

Sir, I have not much to say in support of my motion except that it is only a repetition. In the body of the clause it is said that the total agricultural income of any previous year of any person comprises all agricultural income derived from land situated within Bengal. Therefore, sub-clause (*a*) is unnecessary and I suggest that it be deleted.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, it is necessary for the greater reason that an assessee's land situated without Bengal will not come within the purview of this Act.

Dr. NALINAKSHA SANYAL: Is it permissible, Sir, for any member to move an amendment given notice of, which for reasons best known to the member giving its notice is not moved? As notice has been given and it has found a place in the printed agenda, I submit it is a property of the House and we would like to have your permission to move it if Mr. Rowan Hodge has no objection.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I do not think that a motion becomes the property of the House until it is moved.

Mr. SPEAKER: When a member actually moves a motion it becomes the property of the House, and subsequently if he wants to withdraw it he must have the leave of the House to do so. But here the amendment has not been moved.

Dr. NALINAKSHA SANYAL: I admit that that is the normal procedure with regard to the withdrawal of a motion already moved. Here also we find a motion printed and circulated in the agenda paper and therefore we do not think that it is not a property of the House. But if you think that it is not a property of the House, I would ask you to accept it as a short-notice motion from this side of the House, and so far as the House is concerned, the House has had already a notice.

Mr. SPEAKER: I do not think you can move it as a short-notice amendment.

(At this stage the House was adjourned for fifteen minutes.)

(After adjournment.)

Dr. NALINAKSHA SANYAL: Sir, I beg to move that in clause 4(*b*), in line 6, after the words "Wakf-al-al-Aulads" the words "and in the case of persons producing evidence satisfactory to the Agricultural Income-tax Officer in the manner prescribed, of their having undertaken to contribute regularly to the funds of any public institution for religious or charitable purpose out of the income derived from agriculture" be inserted.

Sir, this clause deals with total agricultural income and in so defining total agricultural income excludes certain incomes which are mentioned in sub-clauses (*a*) and (*b*). The first income excluded is any agricultural income derived from lands situated without Bengal. Many friends apprehended that the definition that we had passed under clause 2 where we did not categorically exclude property outside Bengal and where we used the term "British India" instead of "Bengal" might infringe the

privilege of members of having their property outside Bengal tax-free. This sub-clause (a) clarifies that position. In sub-clause (b) of clause 4 any agricultural income derived from property held under trust or other legal obligation wholly for religious or charitable purposes, and in the case of property so held in part only for such purposes or in the case of Muslim trusts commonly known as Wakf-al-al-Aulads, the income applied thereto are excluded so that we have in view some exemptions on amounts of money actually spent for religious or charitable purposes. The provision as it appears, however, does not cover all cases of money really and actually set apart for and actually spent for religious or charitable purposes. Here there is an important condition in regard to property which is not the property of Muslim trusts commonly known as Wakf-al-al-Aulads that such property must be held under trust or other legal obligation. There are, however, numerous cases in Bengal where income derived from agriculture by landholders or jotedars or even larger sections of peasants is spent on charitable and religious purposes, but there may not be actual legal obligation to spend it or there may not be actual trust created for spending it. I submit, Sir, that if the Assessing Officer can be satisfied by such manner of evidence as Government may prescribe that actually a particular person who is an assessee has undertaken to bear certain expenses in connection with a school or a hospital or any religious institution and has actually spent towards that object, there should be a good case for exempting that particular portion of the income which is definitely so set apart and spent. I would have been very glad if the meaning would have been sufficiently clear to enable me to get relief for actual amounts set apart even when there is no legal obligation or known trust created.

Sir, I admit that with regard to Muslim trusts commonly known as Wakf-al-al-Aulads that is sufficiently clear, but even then it is a trust and it is a legal obligation. Let us take an example which I just would like to mention. The Maharaja of Cossimbazar has been for the last half a century or more contributing towards the maintenance of the Krishnath College—my *alma mater*—and the Collegiate School—All expenses that the college and the school may be in need of anually either to meet their deficits or for meeting other expenditure. In some years this sum actually goes up to more than half a lakh of rupees and there is no legal obligation as such in the sense that the property of the Maharaja can be attached by the college or the school to exact or extort that money from the Maharaja's estate. It is an obligation that the late Maharaja has cheerfully borne and the present Maharaja has been bearing all along. If there is no provision for exemption of that amount of money of which under the present provision of the law there is no possibility of exemption, then it will be very hard on the Maharaja of Cossimbazar to have to pay agricultural income-tax also on that amount of money which he spends for the college and the school.

Similarly, Sir, the Maharaja of Lalgola has in my district any number of charitable institutions maintained and he has got large sums placed at the disposal of the District Magistrate to maintain tube-wells and to maintain the Sadar Hospital at the Berhampore town. If the Maharaja has to

pay income-tax on that amount also, I am afraid there may be good grounds for some of these charitably disposed persons to withdraw their contributions to the extent at least that they are required to pay income-tax thereon. It will mean an additional burden on the public exchequer, because these institutions will then have to come to Government for their subsidy or help or assistance. Here the object that I have in view is just the same as the one I had when I moved my amendment No. 55. I have tried to make the position clear and I have sought to keep the power of scrutiny in the hands of Government. Government can prescribe some rules for producing evidence satisfactory to the assessing officer and if according to those rules somebody can produce satisfactory evidence then I submit there should be a good ground for exemption. With the amendment that I have proposed the sub-clause will read thus. It does not include "any agricultural income derived from property held under trust or other legal obligation wholly for religious or charitable purposes, and in the case of property so held in part only for such purposes or in the case of Muslim trusts commonly known as Wakf-al-al-Aulads and in the case of persons producing evidence satisfactory to the Agricultural Income-tax Officer in the manner prescribed, of their having undertaken to contribute regularly to the funds of any public institution for religious or charitable purpose out of the income derived from agriculture, the income applied thereto".

With these words, Sir, I move this amendment and I trust that the Hon'ble Minister in charge will see his way to accept the same.

Mr. ABDUR RAHMAN SIDDIQI: Mr. Speaker, Sir, I am rather unhappy about the use of the word "Wakf-al-al-Aulads". It appears awkward in its present form. It would have been better if the Committee or those who were in charge of drafting the Bill had used the words Wakfs-alal-Aulad, that is by adding the s of the plural to the Word Wakf and removing it from Aulads and there should have been no hyphen between the two "al als". I hope the mistakes will be corrected in the final printing.

Then again, Sir, it is difficult for me to follow the argument used by the honourable member for Murshidabad Municipalities that certain Maharajas who, out of their largeheartedness and generosity, are giving money to educational and other charitable purposes, should be exempted from paying the tax on sums so disbursed. That would not be fair for in return either they get *kudos* or their piety is rewarded by Divine Grace. But suppose a Maharaja's son, when he comes on the *gadi*, does not like to continue the contribution as he has no legal obligation to do so, the contribution not being in the nature of a trust, I feel we shall not be acting on sound legal ground if we make the exemption.

Sir, the history of the law on Wakfs-alal-Aulad in British India is interesting. It is a Muslim institution that has existed for 1300 years and more. I cannot quite understand why those who benefit under a Wakf-alal-Aulad should not pay tax on the money they receive. Although a Wakf, it is different from the Wakf intended for a school, a college, a mosque or a musafirkhana. No condition of Islamic law lays down that if

I earn an income out of a Wakf-alal-Aulad, I should not pay a tax on it to the State. In that light, I think we shall be well advised to make a clear distinction between a Wakf alal-Aulad and a Wakf not alal-Aulad.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, we will probably agree that incomes spent for charitable and religious purposes should not be taxed. If we are agreed on that point, there is no reason why there should be a differential treatment in the case of income derived from property held on trust as against income derived from property not held on trust but really spent for religious and charitable purposes. For that purpose, Sir, Dr. Sanyal has moved an amendment. I want to draw the pointed attention of the Hon'ble Minister in charge whether he wants to make a distinction between income derived from property held on trust and spent on religious and charitable purposes and income from property not held on trust but income really spent for religious and charitable purposes. Dr. Sanyal made it clear that it must be proved in a manner prescribed by Government to the satisfaction of the Agricultural Income-tax Officer that the income which is sought to be exempted had been actually spent for religious and charitable purposes. With that object in view, we have definitely said that the income applied for religious and charitable purposes even in the case of Wakf-al-al-Aulads should be exempted. Originally it was dependent on application and we have changed that expression. We shall only see that the incomes which are actually spent for religious and charitable purposes should be exempted. Even in the case of ordinary trusts and Wakf-al-al-Aulads we have made it clear that incomes actually spent for religious and charitable purposes should be exempted. If the object is clear, there should not be any distinction with reference to income derived from property held on trust and income derived from property not held on trust.

With these few words, Sir, I support the motion that has been moved by Dr. Sanyal and I oppose Mr. Siddiqi. Probably he has not properly understood the matter. The language is clear and I hope Government will find its way to accept the amendment that has been moved by Dr. Sanyal.

Mr. CHARU CHANDRA ROY: আমি ডা: নলিনাক্ষ সান্যাল মহাশয়কে সমর্থন করতে দাঁড়িয়েছি। Sectionএ যেভাবে নাকি clause কোরে দেয়া আছে সেটা পরিষ্কার-ভাবে ডা: সান্যাল জানিয়েছেন। এইভাবে যদি এই clause amended হয় তবে দেশের যথেষ্ট মঙ্গল হবে। অনেক যায়গায় দেখা যায় Trust Property না থাকলেও লোকে দান, দাতব্য, অতিথি-সেবা প্রভৃতি নানা-ভাবে সদ্ব্যয় কোরে থাকে। কিন্তু যদি সেই জিনিষ-গুলি ট্যাক্সের আওতা থেকে বাদ দেয়া না যায় তাহলে, ডা: সান্যাল যা বলেছেন অনেককে এই খরচ কমিয়ে আনতে হবে, ট্যাক্সের দরুণ তাদের খরচা বেড়ে যাবার জন্য। তাই আমি ডা: সান্যাল মহাশয়কে সর্ব্বান্তঃকরণে সমর্থন কোরে মন্ত্রীমহোদয়কে অনুরোধ কোরছি এই amendment গ্রহণ করতে।

Maulvi AHMED ALI MRIDHA: Mr. Speaker, Sir, I think Mr. Siddiqi has not given a very correct interpretation of the wordings. Probably, he is mistaken, because I think the wordings here are quite

sufficient to be just in the line of his own thoughts. What he suggests, if I have followed him well, is that a Wakf-al-al-Aulad by itself should not get exemption from assessment.

This Bill as drafted or as before us allows the words Wakf-al-al-Aulads but the whole thing is not excluded from assessment. Only that portion of the income which is spent for charitable purposes and under legal obligation is exempted. That being the position I hope no apprehension may remain anywhere in anybody's mind and the drafting to that extent has been very happy and clear.

In regard to what Dr. Sanyal has stated, it would, I think, also carry some weight. I for myself confess that I have not been able to cast much thought upon it; nor could we consider it jointly. So, I would leave that to the Hon'ble Minister if he considered that to be at all important and I would entirely rely upon his decision on that matter. But I also feel that there seems to be some danger. For example the words used are "religious or charitable purpose". If there is no legal obligation cast upon a trust, then the danger will be that any man may come forward with a plea that certain religious ceremony has to be performed (and there may also be some charitable ceremony) for which expenditure has been incurred and he may come forward with a claim for exemption on that account and this will lead to avoidance of taxation. Probably in some cases human imagination can go so far as to bring in something which is absolutely beyond the comprehension of any of us today but——

Dr. NALINAKSHA SANYAL: May I invite your attention to the words "public institution"? I have carefully avoided those things.

Maulvi AHMED ALI MRIDHA: I do believe that this is a matter for the Hon'ble Minister to consider. I do not know whether he will be able to accept the wordings of Dr. Sanyal's amendment but I would request the Hon'ble Minister to consider this aspect of the question.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I regret very much that I am unable to accept Dr. Sanyal's amendment which seeks to exempt part of the income which a man may spend either casually or with some degree of regularity on charitable objects. To exempt from taxation that portion of a man's income which he spends either casually or with some amount of regularity on charitable objects is against the principle of any Income-tax Act for the simple reason that it would lead to a great deal of evasion. (Dr. NALINAKSHA SANYAL: A great deal of charity in the country.) It is doubtful whether this exemption would lead to greater charities by more charitably disposed persons who would devote their money to public objects.

As regards Mr. Siddiqi's point, it has already been pointed out that there is a distinction even in the case of Muslim Trusts between wakfs devoted to public objects and wakfs devoted to private objects. Wakfs devoted to private objects are, I am almost sure, not exempted from taxation.

Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I beg to move that after clause 4(*b*), the following new sub-clauses be inserted, namely:—

"(*c*) any agricultural income devoted to charitable purposes for which proper audited accounts are kept;

(*d*) receipts of a casual and non-recurring nature."

Sir, the objects of my moving this amendment are explained in the amendment itself. Dr. Sanyal very rightly wanted to move an amendment excluding grants to public institutions from the operation of this Bill. In the first part of my amendment I have tried to exclude agricultural income devoted to charitable purposes and for which audited accounts are kept If the accounts are properly audited chances of evasion will be remote. As will appear from the Bill, certain properties held under trust have already been exempted and I see no reason why money spent for charitable purposes but which is not a trust money should be differentially treated.

Then, Sir, the sub-clause (*d*) refers to receipts which are of a casual and non-recurring character. I do not see any reason why incomes which are non-recurring and casual in character should be taken into consideration while assessing the total income. I may draw the attention of the Hon'ble Minister to section 4(*iii*) of the Indian Income-tax Act where a similar provision has been made.

With these words, I commend my amendment to the acceptance of the House.

Rai Bahadur JOGESH CHANDRA SEN: Sir, I feel that the Hon'ble Minister will not have any difficulty in accepting this amendment because Government will not be deprived of its income. The Maharaja of Cossimbazar has stated that accounts will be audited and then the deduction will be made. There is no fear therefore of any loss of income to Government. I support the amendment moved by Maharaja Srischandra Nandy, of Cossimbazar.

Rai HARENDRA NATH CHAUDHURI: May I rise on a point of order? Part of motion No. 99-100 is the same as motion No. 98. Will it not be conveinent therefore for the Hon'ble Minister to reply to both the amendments together?

Mr. SPEAKER: Yes, that would be better. You can move it now.

Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that after sub-clause (*b*) of clause 4, the following new sub-clause be inserted, viz.—

"(*c*) any agricultural receipts accruing from land situated within Bengal which are of a casual and non-recurring nature."

Sir, it is unfortunate that members of the European group have thought it to beat a strategic retreat on motion 77-79. It is evident, Sir, that the

members of that group are not so much interested in the cause of the general body of assessees as in a particular cause of their own. Otherwise, they would have moved No. 77-79.

Now, Sir, in explaining my motion I would invite the attention of the House to the corresponding section of the Indian Income-tax Act—I mean section 4. If honourable members will please turn to section 4 of the Indian Income-tax Act they will find that in sub-section (*3*) of that section a pretty long list of exceptions has been given. There are eight items in sub-section 3 which are proposed to be excluded from the total income. Now if members turn to item (*vii*) of sub-section 3 they will find that it runs thus: "No receipts not being receipts arising from business or the exercise of a profession or vocation or occupation which are of a casual or non-recurring nature and are not by way of an addition to the remuneration of an employee", that is such receipts are not considered any part of total income. That class of receipts is excluded from the category of income altogether. Sir, there is not only that provision but there are others also. But with regard to that provision many a case has been fought in the courts and it has been held even by the highest judiciary that that is a legitimate exclusion. The leading case on the subject is the case of the Income-tax Officer, Bengal, *versus* Messrs. Shaw Wallace & Company. Messrs. Shaw Wallace & Company were the distributing agents of two oil companies, the Burma Oil Company and the Anglo-Persian Oil Company. Both these companies wanted to terminate the agency of Shaw Wallace & Company at an earlier date and, Sir, they gave Shaw Wallace & Company certain solatium for the purpose. The Burma Oil Company probably gave Rs. 12 lakhs and the Anglo-Persian Oil Company Rs. 3½ lakhs. The Income-tax Officer of Bengal came to the conclusion that those receipts of Messrs. Shaw Wallace & Company should be taxed in view of the fact that a year before another case came up before the High Court, namely, the Turner Morrison Company case in which it was held that even non-recurring expenditure arising from business may be taxed. It was on the basis of that case that the Income-tax Officer of Bengal thought it fit to tax Shaw Wallace & Company and the case was referred to the High Court. Now, the High Court of Calcutta held that that receipt of Shaw Wallace & Company could not be taxed as it was of a casual and non-recurring nature. The Income-tax Officer of Bengal did not stop even after having got the decision of the High Court. The case went up to the Privy Council, and in the Privy Council, Mr. Latter, who appeared for Shaw Wallace & Company, took his stand on this very sub-clause, namely, item (*vii*) of section 4, sub-section (*3*). Here is a part of his argument, namely, "that the amount did not accrue to the respondent from the carrying on of their business and being purely of a casual and non-recurring nature it was exempt under item (*vii*) of section 4, sub-section (*3*)". On that point, as it was urged, their Lordships of the Privy Council came to the following conclusion: "income," their Lordships think, "under this Act," namely, the Indian Income-tax Act, "connotes a periodical monetary return coming in with some sort of regularity or expected regularity from different sources. The source is not necessarily one which is expected to be a continuous production but must be one whose object is

production of a definite return excluding anything in the nature of a mere windfall." That was the view of the Privy Council. It is on the basis, therefore, of the provision that has been made in the Indian Income-tax Act and on the basis of that provision as explained by the Privy Council that I am moving my motion and I hope the Hon'ble Minister will please apply his mind to this question and accept my motion.

Sir, there can be no justification for excluding non-agricultural income of a casual non-recurring nature from the category of income and including such income in the category of income under the Agricultural Income-tax Act. It ought to be excluded in all fairness and on the same grounds on which such income has been excluded from the purview of non-agricultural income-tax.

Sir, I may be asked to cite specific instances in which there may be hardship if this amendment be not accepted. Sir, we are all aware that in Bengal the succession to a widow's estate may be accelerated, that is, the reversioners of a widow's estate can get into the succession earlier by making a payment to the widow. What will be the position of the receipt on the part of the widow? Will it be income or not? It may be construed as an income as it was urged in the case of Messrs. Shaw Wallace & Co. that even the solatium that was given for non-continuance of an agency was income. I submit, Sir, that in all fairness it should not be assessed: it should be considered as an income of a casual and non-recurring nature. Take again the case of insurance receipts. If you look to clause 7 you will find that premium paid for insuring crops has been considered as a deserving of allowance. Now, what will be the case if money is received from the insurance company for the damage done to the crops? What will be its character? Will it be considered as merely income in another shape or form or will it be considered as an income of a casual non-recurring nature as a mere windfall which ought not to be taxed? Then, take again the case of a *raiyat*. The tenure-holder may take surrender from a *raiyat* of his holding by paying some compensation to him. In such a case what will be the nature of the receipt of the *raiyat* who takes his compensation from the tenure-holder for vacating his land? Will it be considered as a capitalised value of his income or something as no income at all? Such cases will often arise. It is not possible for anybody to foretell what sort of cases will come up before the courts hereafter. Take another instance: the case of owelty money. Another case in point will be what is called the transfer or pre-emption fee? All are aware that on the transfer of an occupancy holding the landlord does not get the transfer fee now but the purchaser from a co-sharer does get compensation if a co-tenant applies to avoid the sale of an occupancy *raiyati* holding. What will be the position in such a case? Will it be considered or not considered as an income? Such questions will always arise in future and all men may not have such a long purse as may be commanded by Messrs. Shaw Wallace & Co. a purse long enough to take a case to the Privy Council. I therefore urge that the Hon'ble Minister should put the Agricultural Income-tax Bill on the same footing in this matter as the Indian Income-tax Act.

With these words, Sir, I commend my motion to the acceptance of the House.

Mr. H. ROWAN HODGE: I want to have one word. I have been charged by the honourable member with beating a retreat from my own amendment. That is not so. I have tabled this amendment in the honest belief that if accepted it would improve the Bill, but since then I have been asked if I could give satisfactory illustrations of cases where this difficulty might arise. I have felt great difficulty in doing so. It has been pointed out to me on the other hand that it may provide a loophole for the loss of legitimate taxation by Government. Since I have heard my honourable friend who moved his amendment I have been impressed by the reasons which he has given, and I would respectfully suggest that the Hon'ble Minister might give sympathetic consideration to his amendment unless he can satisfy the House that it will provide an objectionable loophole.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: My honourable friend Rai Harendra Nath Chadhuri asked me to apply my mind to his amendment. I have applied my mind to his amendment; and having applied my mind to the question of casual receipts and having applied my mind to the learned discourse of my honourable friend on the subject I have definitely come to the conclusion that I must oppose his amendment. There is a great deal of difference between casual receipts of non-agricultural character and casual receipt in the shape of agricultural income. The difference is very substantial and in the case of agricultural income exemption of casual receipts might leave a loophole in taxation. Sir, I am unable to accept Rai Harendra Nath Chaudhuri's amendment.

Dr. NALINAKSHA SANYAL: What about the Maharaja of Cossimbazar's other point about religious and charitable institutions?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: As regards exemption of those institutions I thought I had spoken on this, but if amounts are spent on charitable and religious objects I think the man who does that receives merit and goes to heaven and I think we had better tax a man for the amount that he spent for attaining such a desirable consummation.

Dr. NALINAKSHA SANYAL: May we at this stage request you to adjourn the House today because certain submissions have been made which some of us feel may require a little more application of mind, particulrly with regard to this question of religious and charitable expenditure and with regard to clause 6. It relates to a very important part of the legislation to which further mind need be applied. Frankly speaking, we of this party did not feel that we could go so far as that in one day's sitting and we are not prepared to take up clause 6 tonight, and I suppose the Hon'ble Minister also will agree that we have made good progress for the day and we might stop here and apply our minds to this important legislation tomorrow.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: May I suggest that we finish clause 4 today. That will take only a few minutes. We come to clause 6 tomorrow.

Dr. NALINAKSHA SANYAL: But the voting on that particular item —Nos. 92 and 99—we wanted to avoid.

Mr. SPEAKER: I think it will be better if we finish clauses 4 and 5 today and start with clause 6 tomorrow.

Maulvi MD. ISRAIL: Sir, I beg leave of the House to withdraw my motion.

The motion of Maulvi Md. Israil that in clause 4, in line 8, after the word "respectively" the words "after making a deduction of allowances referred to in clauses 6 and 7" be inserted, was then, by leave of the House, withdrawn.

The motion of Rai Bahadur Jogesh Chandra Sen that clause 4 (*a*) be omitted was then put and lost.

The motion of Dr. Nalinaksha Sanyal that in clause 4 (*b*), in line 6, after the words "Wakf-al-al-Aulads" the words "and in the case of persons producing evidence satisfactory to the Agricultural Income-tax Officer in the manner prescribed, of their having undertaken to contribute regularly to the funds of any public institution for religious or charitable purpose out of the income derived from agriculture" inserted, was then put and a division taken with the following result:—

AYES—49.

Abdul Hafiz, Mr. Mia.
Abdul Wahed, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. P.
Barman, Mr. Upendra Nath.
Biswas, Mr. Surendra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Radhanath.
Dee Gupta, Dr. J. M.
Datta, Mr. Dhirendra Nath.
Deloi, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Edhar, Mr. Upendranath.
Ghose, Mr. Atul Krishna.
Hashem Ali Khan, Khan Bahadur Maulvi.
Idris Ahmed Mia, Maulvi.
Jalaluddin Hashemy, Mr. Syed.
Jana, Mr. I. D.
Khan, Mr. Debendra Lall.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Birat Chandra.
Mookerjee, Dr. Syamaprasad.
Mukherji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nandy, Maharaja Srischandra, of Cossimbazar.
Naskar, Mr. Hem Chandra.
Paul, Sir Hari Sankar.
Poddar, Mr. Anandilal.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanyal, Dr. Nalinaksha.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Sen-Gupta, Mrs. Nellie.
Shamsuddin Ahmed Khondkar, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Yousuf Mirza.
Zaman, Mr. A. M. A.

NOES—99.

Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. H.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Metaleb Malik, Dr.

Abdullo-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdus Shaheed, Maulvi Md.
Abul Fazl, Mr. Md.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Abul Masud, Kazi.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alhazuddin Ahmed, Khan Bahadur Maulvi.
Ashad Hossain Khan, Khan Bahadur Maulvi.
Badi Ahmed Choudhury, Khan Bahadur Haji.
Barma, the Hon'ble Mr. Promhari.
Bell-Hart, Miss P. B.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Mr. Monmohan.
Dasa, Babu Debendra Nath.
Farhat Bano Khanam, Begum.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D., C.I.E.
Gomes, Mr. R. A.
Goswami, the Hon'ble Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Hirtzel, Mr. H. A. F., O.B.E.
Hodge, Mr. H. Rowan.
Jahiruddin Ahmad, the Hon'ble Khan Bahadur Maulvi.
Jaimuddin Ahmed, Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Kumar, Mr. Atul Chandra.
Leist, Mr. John.
McGregor, Mr. G. G.
McPherson, Mr. G. P.
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Mandal, the Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Maulvi.
Miles, Mr. C. W.
Mohammed Ali, Khan Bahadur.
Mozammel Huq, Maulvi Md.
Muhammad Abdul Halim Mollia, Mr.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mullick, the Hon'ble Mr. Pulin Behari.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustaqawsai Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Norton, Mr. H. R., M.B.E.
Pain, the Hon'ble Mr. Barada Prosanna.
Powell, Mr. J. A.
Roy, Mr. Dhananjoy.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Skipwith, Mr. W. E.
Smart, Mr. J. N.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Thorman, Mr. C. M.
Walker, Mr. J. R.
Whitehead, Mr. R. B.
Wordsworth, Mr. W. C., C.I.E.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.
Zillur Rahman Shah Choudhury, Maulvi.

The Ayes being 49 and the Noes 99 the motion was lost.

The motion of Maharaja Srischandra Nandy, of Cossimbazar, that after clause 4 (*b*), the following new sub-clauses be inserted, namely:—

"(*c*) any agricultural income devoted to charitable purposes for which proper audited accounts are kept;

(*d*) reecipts of a casual and non-recurring nature."

was then put and lost.

The motion of Rai Harendra Nath Chaudhuri that after the sub-clause (*b*) of clause 4, the following new sub-clause be inserted, viz.—

"(*c*) any agricultural receipts accruing from land situated within Bengal which are of a casual and non-recurring nature"

was then put and a divison taken with the following result:—

AYES—68.

Abdul Hafiz, Mr. Mia.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Badi Ahmed Choudhury, Khan Bahadur Haji.

Banerjee, Mr. Pramatha Nath.
Banerji, Mr. P.
Barman, Mr. Upendra Nath.
Biswas, Mr. Surendra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Narendra Nath.
Clark, Mr. I. A.
Das, Babu Radhanath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Narendra Nath.
Dutta, Mr. Sukumar.
Edbar, Mr. Upendranath.
Gladding, Mr. D., C.I.E.
Hamilton, Mr. K. A.
Hasan Ali Chowdhury, Mr. Syed.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hendry, Mr. David.
Hirtzel, Mr. H. A. F., O.B.E.
Hodge, Mr. H. R.
Idris Ahmed Mia, Maulvi.
Kennedy, Mr. I. G.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Leink, Mr. John.
McGregor, Mr. G. G.
Mepherson, Mr. G. P.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Birat Chandra.
Miles, Mr. C. W.
Mookerjee, Dr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nandy, Maharaja Srischandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Norton, Mr. H. R., M.B.E.
Paul, Sir Hari Sanker.
Poddar, Mr. Anandilal.
Powell, Mr. J. A.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shamsuddin Ahmed, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sinha, Srijut Maninda Bhusan.
Skipwith, Mr. W. E.
Smart, Mr. J. N.
Smyth/Osbourne, Mr. D. G.
Stark, Mr. A. F.
Sur, Mr. Narendra Kumar.
Thorman, Mr. C. M.
Walker, Mr. J. R.
Whitehead, Mr. R. B.
Wordsworth, Mr. W. C., C.I.E.
Yousuf Mirza.
Zaman, Mr. A. M. A.

NOES—74.

Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Metaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdus Shahood, Maulvi Md.
Abul Fazl, Mr. Md.
Abul Hosain Ahmed, Mr.
Abul Masud, Kazi.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alifazuddin Ahmed, Khan Bahadur Maulvi.
Anisul Hossain Khan, Khan Bahadur Maulvi.
Barma, the Hon'ble Mr. Prembari.
Bell-Hart, Miss P. B.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakraborty, Babu Narendra Narayan.
Das, Rai Sahib Anukul Chandra.
Das, Mr. Mosamohan.
Dass, Babu Debendra Nath.
Farhat Bano Khanam, Begum.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Gomes, Mr. E. A.
Goswami, the Hon'ble Mr. Tulsi Chandra.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hatemally Jamadar, Khan Sahib Maulvi.
Jalaluddin Ahmad, the Hon'ble Khan Bahadur Maulvi.
Jasimuddin Ahmed, Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawas Jah Syed.
Kumar, Mr. Atul Chandra.
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).
Mandal, Mr. Amrita Lal.
Mondal, Mr. Sanku Behari.
Mandal, Mr. Jagat Chandra.
Mandal, the Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Mozammel Haq, Maulvi Md.
Muhammad Abdul Hakim Molla, Mr.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruf Hossain, the Hon'ble Nawab , Khan Bahadur.
Mustaqawsai Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Pain, the Hon'ble Mr. Barada Prosanna.
Rajibuddin Tarafdar, Maulvi.
Roy, Mr. Dhananjoy.
Sadaruddin Ahmed, Mr.
Sarkar, Babu Madhusudan.
Sarajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Singha, Babu Kshetra Nath.

Sirdar, Babu Litta Munda.
Suhrawardy, the Hon'ble Mr. H. S.
Yusuf Ali Choudhury, Mr.
Zaher Ahmed Choudhury, Maulvi.
Zhiur Rahman Shah Choudhury, Maulvi.

The Ayes being 68 and the Noes 74, the motion was lost.

The question that clause 4 stand part of the Bill was then put and agreed to.

Clause 5.

The question that clause 5 stand part of the Bill was then put and agreed to.

Adjournment.

The House was then adjourned at 6-22 p.m. till 3-30 p.m. on Wednesday, the 16th February, 1944, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 16th February, 1944, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI) in the Chair, 12 Hon'ble Ministers and 174 members.

STARRED QUESTIONS

(to which oral answers were given)

Family allowance of Mr. Ganesh Chandra Sanyal, a security prisoner.

***86. Mr. KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether security prisoner Mr. Ganesh Chandra Sanyal applied to the Government from the Buxa Special Reserve Jail for the increment of his family allowance of Rs.25 a month on the ground that—

(*i*) Rs.25 is very insufficient for the maintenance of his family; and

(*ii*) he used to earn about Rs.100 before his arrest?

(*b*) If so, is the Hon'ble Minister considering the desirability of increasing the amount?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes.

(*b*) No.

(*c*) His income before arrest and that from the grocery and stationery shop only in Rangpur town was Rs.30 only per month and he possesses jointly with his three brothers 50 *dones* of cultivated lands yielding 100 maunds of paddy per year according to my information.

Mr. ATUL CHANDRA SEN: With reference to answer (*c*), will the Hon'ble Minister be pleased to state how was the income from the grocery and stationery shop ascertained?

Khan Bahadur MOHAMMED ALI: By making an enquiry it was ascertained that the income from the shop was Rs. 30 per month.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state whether the security prisoner himself, the owner of the shop, was asked to give evidence in this connection?

Khan Bahadur MOHAMMED ALI: No, Sir, that was not considered necessary.

Mr. CHARU CHANDRA ROY: Sir, with refernece to question (*a*)(*i*) and (*ii*), the answer is "Yes" and thereby the Hon'ble Minister admits

that the security prisoner used to earn about Rs. 100 before his arrest. Now, with reference to answer (*c*) will the Honble Minister be pleased to state how can he state that his income was only Rs. 30 per month?

Khan Bahadur MOHAMMED ALI: Sir, it has already been answered that his income was Rs. 30 per month only from the grocery and stationery shop. He has other incomes, as has already been mentioned, from lands held jointly with his three brothers.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state whether the accounts of the grocery shop were called for and examined for the purpose?

Khan Bahadur MOHAMMED ALI: I want notice.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state, if the security prisoner, the owner of the shop, was not examined and if accounts were not examined, how did the Government ascertain his income from the shop?

Khan Bahadur MOHAMMED ALI: I want notice. I believe all kinds of enquiries were made before the figure of Rs. 30 was arrived at.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state what are the kinds of enquiries that were made?

Mr. SPEAKER: This is cross-examination. I cannot allow it. When the Hon'ble Minister says that enquiries were made, I think that is enough.

Srijut NARENDRA NATH DAS GUPTA: With reference to answer (*c*) that his income before arrest was Rs. 30 per month, will the Hon'ble Minister be pleased to consider the advisability of increasing his allowance in these days when the value of the money has gone down so much?

Khan Bahadur MOHAMMED ALI: The security prisoner was a member of a joint family. He has two earning brothers, the income of the brothers would be about Rs. 120 and in addition to that Government has sanctioned Rs. 25 per month. When all these amounts are pooled together, the amount, I think, will be sufficient for the maintenance of the family.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state what was the mode of enquiry that was made?

Mr. SPEAKER: I am sorry, I cannot allow this sort of cross-examination.

Alleged posting of police agents among the security prisoners.

***87. Mr. NIHARENDU DUTT-MAZUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that any persons have been placed inside any jail to act as agents of the police in the guise of security prisoners?

(*b*) If so, what are their duties there?

Khan Bahadur MOHAMMED ALI (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) No.

(*b*) Does not arise.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state whether the Government will consider the desirability of asking the honourable member, Mr. Datta Mazumdar, who has put the question, to produce evidence in support of his suggestion that police agents have been lodged in jails to work as agents provocateurs.

Khan Bahadur MOHAMMED ALI: That is not necessary.

Government measures to prevent Damodar flood havoc.

*88. **Mr. ADWAITA KUMAR MAJI:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state what measures have been taken by Government to prevent the Damodar flood havoc?

(*b*) Is it a fact that the left embankment of the river is being strengthened in order to protect that side only at the cost of the villages on the right side?

(*c*) Will the Hon'ble Minister be pleased to state whether any scheme has already been made in order to stop the breach on the left embankment of the Damodar? If so, what is that scheme?

(*d*) Is the Hon'ble Minister aware that considerable quantity of earth is being taken by digging pits on the paddy fields in several villages standing on the left side of the Damodar for embankment purpose and thereby permanently deteriorating those lands and causing serious loss to the villages?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the names of such villages; and

(*ii*) what steps are being taken by Government for compensating the owners of those lands?

Mr. ATUL CHANDRA KUMAR (on behalf of the Hon'ble Mr. Barada Prosanna Pain): (*a*) and (*c*) It has been decided as an immediate measure, to strengthen the dangerous sections of the Damodar Left Embankment and the work is now in progress. Adequate flood precautionary measures will be taken and arrangement will be made for adequate patrolling staff on the embankment throughout 24 hours during the flood season. A Committee has been appointed to advise on permanent long-term measures to control floods in the river.

(*b*) A portion of the Damodar Left Embankment is being remodelled, but this will have no effect on conditions obtaining on the right bank.

(*d*) and (*e*) Paddy land to the east of Manikhati is being lowered by two feet at the urgent request of the villagers. Elsewhere paddy land from which earth is being taken will be acquired under the Defence of India Rules.

Mr. NISHITHA NATH KUNDU: Sir, I draw the attention of the Hon'ble Minister to his answer under (*d*) and (*e*) in the last sentence, namely, that elsewhere paddy land from which earth is being taken will be acquired under the Defence of India Rules. Will the Hon'ble Minister be pleased to explain how the Government encroached on the lands of others without first acquiring those lands first?

Mr. ATUL CHANDRA KUMAR: Under the Embankments Act engineers are empowered to dig up earth from any land before that land is acquired under the Defence of India Rules.

Mr. NISHITHA NATH KUNDU: I draw again the attention of the Hon'ble Minister to the first sentence in the same answer, namely, that paddy land to the east of Manikhati is being lowered by two feet at the urgent request of the villagers. I now ask, have the villagers themselves requested the engineer to take earth from their lands by which their lands have been lowered by two feet?

Mr. ATUL CHANDRA KUMAR: They thought that it was to their benefit to lower their lands and that without incurring expenditure, and therefore they requested the engineer to take earth from their lands and that was done.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if by lowering the level the lands are permanently injured for the purpose of cultivation?

Mr. ATUL CHANDRA KUMAR: No, because they will be levelled up.

Mr. ADWAITA KUMAR MAJI: মাননীয় মন্ত্রীমহাশয় কি অনুগ্রহ করে জানাবেন যাদের জমির উপর হতে মাটি নেওয়া হয়েছে তাদের compensation দেওয়া হবে কি না?

Mr. ATUL CHANDRA KUMAR: Compensation দেওয়া হবে land acquire করা হলে।

Mr. NISHITHA NATH KUNDU: Sir, there are two kinds of compensation that is granted to the owners of lands, of which one is temporary and the other permanent. Will the Hon'ble Minister be pleased to state if any temporary compensation has been granted by this time?

Mr. ATUL CHANDRA KUMAR: Government will consider the matter when the question of paying compensation will arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if expert advice has been taken on the nature of strengthening the dangerous sections of the left bank of the Damodar river and whether the experts have approved of the present arrangement?

Mr. ATUL CHANDRA KUMAR: Yes.

Dr. NALINAKSHA SANYAL: Who are those experts?

Mr. ATUL CHANDRA KUMAR: The Superintending Engineer.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the Chief Engineer of the Irrigation Department of the Government of Bengal thinks that this measure that is being pursued now will not enable Government to protect people from floods?

Mr. ATUL CHANDRA KUMAR: It is not a fact.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the opinion of the Chief Engineer of the Irrigation Department was taken on this project?

Mr. ATUL CHANDRA KUMAR: Absolutely yes. (Laughter.)

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is not a fact that the Superintending Engineer concerned, namely, Mr. Russell, himself at a meeting of the Committee of the Damodar Embankment expressed the idea that by itself the present protection arrangements cannot give protection to the areas sought to be protected?

Mr. ATUL CHANDRA KUMAR: The honourable member is only making a statement, Sir.

Mr. SPEAKER: I would ask you, Dr. Sanyal, to put it in a proper question form.

Dr. NALINAKSHA SANYAL: Is it a fact that the Superintending Engineer and the Chief Engineer have expressed the view that the present protection that is being constructed by strengthening the embankments cannot give adequate protection?

Mr. ATUL CHANDRA KUMAR: To that my reply is that Mr. Russell himself is the Chairman of the committee and he does not want to give evidence before the committee.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state of which committee Mr. Russell is the Chairman?

Mr. ATUL CHANDRA KUMAR: The committee which is considering about short-term measures.

Dr. NALINAKSHA SANYAL: Who has appointed that Committee?

Mr. ATUL CHANDRA KUMAR: That committee was appointed by the Government of Bengal.

Dr. NALINAKSHA SANYAL: Is that the only committee?

Mr. ATUL CHANDRA KUMAR: There is another committee for long-term measures.

Dr. NALINAKSHA SANYAL: Before that committee was any evidence given by Mr. Russell?

Mr. ATUL CHANDRA KUMAR: Government is not aware of anything of the proceedings of that committee.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government nominees are there on that committee?

Mr. ATUL CHANDRA KUMAR: Yes.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the reports and day to day proceedings of that committee have been received by Government?

Mr. ATUL CHANDRA KUMAR: No.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the Superintending Engineer and the Chief Engineer, Irrigation Department, Government of Bengal, have received the proceedings or not?

Mr. ATUL CHANDRA KUMAR: Government have not received any report.

Dr. NALINAKSHA SANYAL: What is Government? The Chief Engineer as well as the Superintending Engineer, Irrigation Department, have received the proceedings and in those proceedings is it not a fact——

Mr. SPEAKER: You are giving information that somebody has received, but he has said that Government has not received.

Dr. NALINAKSHA SANYAL: That is exactly why I submitted previously that Parliamentary Secretaries do not possess information and are not in a position to reply.

Mr. ATUL CHANDRA KUMAR: I do not accept it. The Committee has not submitted its report.

Dr. NALINAKSHA SANYAL: Sir, I may submit that I have got the proceedings with me here and now and the proceedings show that the Chief Engineer and the Superintending Engineer were both present. This shows how the Parliamentary Secretaries are treated.

Mr. SPEAKER: Dr. Sanyal, what you are now saying is that the statement made by the Minister is incorrect.

Dr. NALINAKSHA SANYAL: It is inadequate. He has no information, he says.

Mr. SPEAKER: That is another matter.

Dr. NALINAKSHA SANYAL: It is incorrect.

Mr. SPEAKER: We are not discussing whether Parliamentary Secretaries are allowed access to records or not. That is not the point before the House. He has given certain answers and you want to say that they are incorrect. That implies that you know many things more than the Parliamentary Secretary. Therefore, these questions do not arise at all during question time. You can utilise proper occasion if you like at other times.

The Hon'ble Mr. Khwaja SHAHABUDDIN: On a point of enquiry, Sir. Dr. Sanyal referred to a certain document? Was it a stolen property?

Mr. SPEAKER: I am not here to enquire into it.

Dr. NALINAKSHA SANYAL: Stealing is an art specially reserved for the Minister in charge of Commerce and Labour.

Mr. SPEAKER: I am sorry these expressions about stealing and all that should be withdrawn. Mr. Shahabuddin, will you kindly withdraw the expression?

The Hon'ble Mr. Khwaja SHAHABUDDIN: Sir, I only made an enquiry. I have not attributed anything.

Mr. SPEAKER: Mr. Shahabuddin, it is not in keeping with the dignity of the House that expressions of this nature should be used. I think I can legitimately characterise this expression as absolutely unparliamentary. Well, it is not that you should make enquiry of me or not. That is not the point, I say. I hope both of you will withdraw the expressions that you have used regarding stealing, stolen and all these things.

The Hon'ble Mr. Khwaja SHAHABUDDIN: In response to your direction, Sir, I withdraw, but I made only a very legitimate enquiry.

Mr. SPEAKER: Dr. Sanyal, will you withdraw yours?

Dr. NALINAKSHA SANYAL: Yes, Sir, my expressions were entirely dependent on the expression used by the Hon'ble Minister and therefore they do not arise.

Khan Bahadur MOHAMMED ALI: He has not withdrawn. He must withdraw.

Mr. SPEAKER: I take it he has withdrawn.

Mr. ATUL CHANDRA SEN: With reference to answer (*d*) and (*e*), will the Hon'ble Minister be pleased to state whether they can apply or invoke the aid of the Defence of India Rules to acquire the lands in question in the circumstances relating to the case?

Mr. SPEAKER: That is a matter of opinion.

Dr. NALINAKSHA SANYAL: May I know if the proceedings of the Bengal Committee are confidential and are not open to any other member than the members of the Committee mentioned?

Mr. SPEAKER: That does not arise out of the present question.

Dr. NALINAKSHA SANYAL: The Government member representing the Minister has replied that the proceedings of the committee have not been received by Government and they have no knowledge. My question was whether the Chief Engineer and the Superintending Engineer, Irrigation Department, Government of Bengal, were both given proceedings or not and he said he was not aware. Then my question is whether these proceedings are available or not.

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: Then my supplementary question is, is it a fact that one of the Parliamentary Secretaries of the department had a joy-ride to the catchment area along with some members of the committee and that he was present in some of the meetings?

Mr. SPEAKER: Order please, that question does not arise.

Khan Bahadur MOHAMMED ALI: Sir, you should ask him to withdraw that expression "joy-ride".

Mr. SPEAKER: That question does not arise. I have already disallowed that question.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to tell us what are the precautionary measures under contemplation when he says that adequate flood precautionary measures will be taken besides arrangements for posting adequate patrolling staff on the embankment?

Mr. ATUL CHANDRA KUMAR: Government is going to appoint a patrolling staff to watch the embankment 24 hours during the flood season. Besides that, they are going to instal telephone arrangements between Raniganj and Idilpur.

Mr. NISHITHA NATH KUNDU: Do we understand that by making telephone arrangements flood can be avoided?

Mr. ATUL CHANDRA KUMAR: The information of flood will be available in a few seconds.

Dr. NALINAKSHA SANYAL: Is this temporary arrangement likely in any way to injure the interests of any large section of the population and directly or indirectly retard or thwart the adoption of permanent measures?

Mr. SPEAKER: That is more or less a question of opinion.

Dr. NALINAKSHA SANYAL: Then I put it this way. Is the Hon'ble Minister aware that some experts hold the opinion that the present temporary measures which consist only in strengthening a portion of the left embankment is likely to seriously affect the interests of a large section of the population and may thwart permanent measures of relief?

Mr. ATUL CHANDRA KUMAR: Government does not think so.

Mr. ATUL CHANDRA SEN: With reference to answer (*d*), will the Hon'ble Minister be pleased to state on what ground they propose to apply the Defence of India Rules to acquire the land in question?

Mr. SPEAKER: What do you mean by "ground"?

Mr. ATUL CHANDRA SEN: My question is how are the Defence of India Rules applicable?

Mr. SPEAKER: The applicability or otherwise of the Defence of India Rules is a question of opinion.

Dr. NALINAKSHA SANYAL: What is the progress made up to date or up to the latest date available?

Rai HARENDRA NATH CHAUDHURI: On a point of order, Sir. Mr. Sen's question was: how was the question of defence of India involved here, so that the Defence of India Rules could be invoked.

Mr. SPEAKER: His question was "how the Defence of India Rules are applicable?". Well, that is a matter of opinion. Applicability of a certain set of rules to a certain set of things is a matter of opinion.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state what was the special reason for not following the ordinary practice, namely, acquiring the land first and then going on that land?

Mr. ATUL CHANDRA KUMAR: Urgent necessity did not allow the land to be acquired first.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what progress has been made in the strengthening of the dangerous sections of the embankment?

Mr. SPEAKER: Mr. Kumar, can you give any idea of the progress?

Mr. ATUL CHANDRA KUMAR: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state how many contractors have been appointed for this job?

Mr. ATUL CHANDRA KUMAR: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the progress is being impeded by the failure of ministerially appointed or selected contractors?

Mr. SPEAKER: That question does not arise. That is an insinuation.

Dr. NALINAKSHA SANYAL: Is it a fact that there is a file maintained by a Superintending Engineer to show the progress made week by week by the ministerially selected contractors as against other contractors?

Mr. SPEAKER: I cannot allow that question.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that the Government of India receive from the local officials reports regularly about the comparative work done by the ministerially selected contractors and other contractors?

Mr. SPEAKER: That question does not arise.

Mr. ADWAITA KUMAR MAJI: মাননীয় সভাপতি মহাশয়—

Mr. SPEAKER: Order please. Will you sit down, Mr. Maji? Dr. Sanyal, the whole point is this. If you put in your question matters which are insinuations, I think I am perfectly entitled to disallow that question.

Dr. NALINAKSHA SANYAL: There is a list maintained by the department. May I not ask that question? Is it a fact that the Superintending Engineer concerned maintains two sets of lists of contractors who are doing this job—one showing ministerially selected contractors and the other showing other contractors?

Mr. SPEAKER: Do you mean to say one set showing the contractors appointed by Ministers?

Dr. NALINAKSHA SANYAL: I am using the exact words of the file.

Mr. SPEAKER: It appears that you have had access to the file.

Dr. NALINAKSHA SANYAL: I have had no access to the file. This is the information that I have got and I want to know whether this is correct or not, whether Government is aware that the Superintending Engineer maintains a list of ministerially and not mysteriously selected contractors and the progress of the work done by them?

Point of order.

Mr. FAZLUR RAHMAN: On a point of order, Sir. If Dr. Sanyal supplies information, then by simply adding the words "whether it is a fact or not" he does not seek information. It has to be seen whether information is being supplied or information is being sought. In course of putting the question he said that "this is exactly the phrase which has been used in the file". Then certainly he has had access to the file and I submit that this ought to be disallowed. When you are saying, Mr. Speaker,

that a member is abusing his position by insinuating and not by seeking information from the Minister, you should take certain steps in order to protect us from such insinuations.

Dr. NALINAKSHA SANYAL: On a point of personal explanation, Sir. I have got a letter from the Government of India not officially but from a representative member of Bengal who is a member of the Central Assembly enquiring of me—— .

Mr. SPEAKER: Dr. Sanyal, Mr. Fazlur Rahman raised a point of order and I have got to give my ruling on it. If you have got to say anything with regard to any other matter, that will come later.

Dr. NALINAKSHA SANYAL: I am also speaking on the point of order itself. I have got a letter——

Mr. SPEAKER: Dr. Sanyal, you may have a letter from a member of the Central Assembly, but how can that have anything to do with the point of order?

Dr. NALINAKSHA SANYAL: Sir, certain information has been sent by the Superintending Engineer who was asking ministerially selected contractors——

Mr. SPEAKER: Dr. Sanyal, I am very much pained to see that knowing the rules well it sometimes appears that you try to introduce matters which are not quite relevant to the point at issue. This I never expected from you. Here a point of order has been raised as to the form in which you have put your question. Whether that is allowable or not, that is the question. If you have got anything to say with regard to that particular point, I am prepared to listen to you. The point is whether the form in which you have put your question, namely, "Is the Hon'ble Minister in charge aware that these things are happening" is allowable or not, and that is the point on which the point of order has been raised by Mr. Fazlur Rahman. Have you got anything to say on that?

Dr. NALINAKSHA SANYAL: Please give your ruling first.

Mr. SPEAKER: When questions are put, they should be free from insinuations. As regards the point whether the form in which the question has been put, namely, "Is the Hon'ble Minister aware or not" should be allowed or not, I think I have a clear idea about it, and it is this that it is allowable. But in that case the sort of statement that was made implies certain state of mind of the questioner which means that he must be in possession of certain fact and must have knowledge about it and he only wants to ascertain whether his impression is correct or not. In that form it is allowable.

Dr. NALINAKSHA SANYAL: Thank you, Sir. Now let us have the reply.

Further supplementaries on Starred Question No. 88.

Mr. SPEAKER: Put your question in the proper way.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that with regard to the progress of work in strengthening the left embankment

of the Damodar reports have been received or forwarded by this Government officer or officers to the Government of India showing separately the progress achieved by the ministerially selected contractors as against departmentally selected contractors?

Mr. SPEAKER: It implies an insinuation again that there are ministerially selected contractors.

Dr. NALINAKSHA SANYAL: Then let me put that question first. May I know how many contractors were appointed by the Ministry for this job?

Mr. ATUL CHANDRA KUMAR: I want notice.

Dr. NALINAKSHA SANYAL: How many of these contractors——

Mr. SPEAKER: That question does not arise, because he wants notice.

Dr. NALINAKSHA SANYAL: Is it a fact that out of 46 contractors more than 30 have been appointed on the recommendation of a Ministerial Sub-Committee, which list of contractors is known as "the ministerially appointed contractors"?

Mr. ATUL CHANDRA KUMAR: There is no such ministerial sub-committee.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what is the amount sanctioned by the Government of Bengal for this job, viz., the strengthening of the dangerous section of the left embankment of the Damodar river?

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order, Sir. How do these questions arise?

Mr. SPEAKER: It is going too far.

Dr. NALINAKSHA SANYAL: The reply is "certain immediate steps have been taken to strengthen the dangerous sections of the Damodar left embankment". I am trying in public interest to elicit information whether the Government of Bengal have really taken any steps, whether proper contractors have been given the job and whether sufficient money has been allotted for the job?

Mr. SPEAKER: That is going too much into details. If you like you may raise a discussion on this on an appropriate occasion.

The Hon'ble Mr. H. S. SUHRAWARDY: Let him ask a specific question.

Dr. NALINAKSHA SANYAL: What is the amount allotted for this job?

Mr. SPEAKER: I am not allowing that question.

Mr. ADWAITA KUMAR MAJI: মন্ত্রীমহাশয় অনুগ্রহকোরে বোলবেন কি left embankmentএ কত মাইল থেকে কত মাইল পর্য্যন্ত sealed করা হয়েছে?

Mr. ATUL CHANDRA KUMAR: Twenty-first mile is considered as the dangerous section.

Mr. ADWAITA KUMAR MAJI: With reference to answer (*b*) মন্ত্রী মহাশয় অনুগ্রহ কোরে বোলবেন কি right embankment পর্য্যন্ত দামোদর নদের বন্যার জল ঢোকা বন্ধ না হওয়ায় দেশের অভ্যন্তরে জল ঢুকে যে অনিষ্ট করে তার সম্বন্ধে কোন ব্যবস্থা হয়েছে কি না?

Mr. SPEAKER: You are making a statement.

Dr. NALINAKSHA SANYAL: Has the breach at the most dangerous point on the 21st mile been sealed up by this time?

Mr. ATUL CHANDRA KUMAR: In view of public interest I am not prepared to disclose the facts.

Mr. DHIRENDRA NATH DATTA: What is the public interest?

Dr. NALINAKSHA SANYAL: This is the kind of reply that is given. He does not know anything but he shows very great cleverness. My question has been whether the public on the left bank can feel protected by seeing a complete sealing up of the breach itself apart from the embankment.

Mr. SPEAKER: He has said "I am not prepared to disclose in public interest".

Dr. NALINAKSHA SANYAL: That is enough to expose him.

Re-excavation of Burguni khal in police-station Satkania in the district of Chittagong.

***89. Maulana Md. MANIRUZZAMAN ISLAMABADI:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether the Government have taken up the schemes of the re-excavation of the Burguni khal in police-station Satkania in the district of Chittagong?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state when the said work is likely to be taken up?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

Mr. ATUL CHANDRA KUMAR (on behalf of the Hon'ble Mr. Barada Prasanna Pain): (*a*) No.

(*b*) Does not arise.

(*c*) The scheme was proposed to be taken up on the decentralisation basis, *i.e.*, two-thirds of the cost were to be borne by Government and the remaining one-third with the cost of its future maintenance by the District Board of Chittagong. The District Board did not agree to the proposal. The District Board has been asked to submit a list of small schemes, which is being awaited.

Appointments of Inspectors, C.L.O.'s, etc., in Birbhum under the Jute Regulation Department.

***90. Dr. SHARAT CHANDRA MUKHERJEE:** (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state whether

any new hands have been appointed of late in the Birbhum district as Assistant Inspectors, C.L.O.'s, etc., under the Jute Regulation Department?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the number of such hands;

(*ii*) their respective designations;

(*iii*) scale of pay;

(*iv*) whether they have been posted in the Birbhum district or elsewhere; and

(*v*) their duties in the district where there is no jute cultivation?

(*c*) Is it a fact that they have been ordered to make survey of all cultivated lands and the prospect of this year's produce?

MINISTER in charge of the AGRICULTURE DEPARTMENT (the Hon'ble Khan Bahadur Saiyed Muazzamuddin Hosain): (*a*) Yes.

(*b*) (*i*) and (*ii*) 6 Assistant Inspectors, 174 Primary Licensing Assistants, 18 Camp Assistants, and 1 Clerk.

(*iii*) (1) Assistant Inspectors, Rs.50 as pay and Rs.10 as fixed travelling allowance per month, and Rs.10 per month as dearness allowance admissible for the district.

(2) Primary Licensing Assistants, Camp Assistants and the clerk, Rs.30 as pay and Rs.8 as dearness allowance per month.

(*iv*) Some of the Assistant Inspectors have been posted outside and others within their home districts.

(*v*) General relief work; supervision of Food Committees formed, Grow More Food campaign, Rural Reconstruction and Jute Regulation.

(*c*) They have been asked to check agricultural statistics (*aus* and *aman* acreage) collected during the last food drive and also to report on the condition of the crops.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state if there is any jute cultivation in the district of Birbhum?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, there is some jute cultivation in the district of Birbhum because jute is used there for eating purposes as *sak*.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us what is the approximate area?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: That is not possible.

Babu MADHUSUDAN SARKER: Will the Hon'ble Minister be pleased to state what is the present position of the Jute Regulation Department?

Mr. SPEAKER: That question does not arise.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us what are the functions of the Primary Licensing Assistants?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: To issue licences for cultivation of jute in areas in which jute is cultivated and to check them.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state why such a large number of Primary Licensing Assistants were appointed in the district of Birbhum where there is not much of jute cultivation?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: They are needed for general supervision of Food Committees formed, Grow More Food campaign and Rural Reconstruction work.

Babu MADHUSUDAN SARKER: Will the Hon'ble Minister be pleased to state why officers appointed under the Jute Regulation Department were engaged in other works?

The Hon'ble Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Although they were appointed as appertaining to the Jute Regulation Department staff their cost is debited to the Civil Supplies Department because their services are being utilised by Civil Supplies Department.

Mr. ADWAITA KUMAR MAJI: Sir, বীরভূম districtএ মোট কতজন Assistant Inspectors এবং Primary Licensing Assistants প্রভৃতি কাজ করছে এবং কোন কোন গ্রামে কাজ করছে—মাননীয় মন্ত্রীমহাশয় আমাদের অনুগ্রহ কোরে জানাবেন কি?

Mr. SPEAKER: That is too detailed a question and does not strictly arise out of this question.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Rice supplied by Bengal Government to military authorities.

35. Babu ASHUTOSH LAHIRY: Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to lay on the Table a statement showing from 1st December, 1942, to 15th June, 1943, the quantity of rice supplied by the Bengal Government to the military authorities:—

(*a*) for export outside the Province, and

(*b*) for consumption within the Province?

MINISTER in charge of the CIVIL SUPPLIES DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): No rice for the purposes mentioned was supplied by the Government of Bengal to the military authorities.

Babu ASHUTOSH LAHIRY: Will the Hon'ble Minister be pleased to state if the military authorities were allowed to make direct purchase of foodgrains in the province?

The Hon'ble Mr. H. S. SUHRAWARDY: No, they were not.

Babu ASHUTOSH LAHIRY: Will the Hon'ble Minister be pleased to state if the Government of India made purchase of foodgrains from Bengal and supplied them to military authorities?

The Hon'ble Mr. H. S. SUHRAWARDY: No, the Government of India made no purchases in Bengal.

Babu ASHUTOSH LAHIRY: Will the Hon'ble Minister be pleased to state how then military authorities got their supply of foodgrains for their use?

The Hon'ble Mr. H. S. SUHRAWARDY: By imports from other provinces.

Maulvi ABU HOSSAIN SARKAR: Is it a fact that when the military authorities are established in temporary camps in a locality, they purchase rice from the local markets?

The Hon'ble Mr. H. S. SUHRAWARDY: I do not think so. They are not permitted to make any purchase.

Maulvi ABU HOSSAIN SARKAR: Is it not desirable for the Hon'ble Minister to make an enquiry on the subject?

The Hon'ble Mr. H. S. SUHRAWARDY: If instead of putting a general question of this type the honourable member were good enough to cite specific instances within his knowledge, I shall make an enquiry.

Release of Mr. Sarat Chandra Bose, M.L.A.

38. Mr. CHARU CHANDRA ROY: (*a*) Will the Hon'ble Minister in charge of the Home (Defence) Department be pleased to state—

(*i*) whether the Government of Bengal have approached the Government of India between May, 1943, and 31st August, 1943—

(1) for the release of Mr. Sarat Chandra Bose, and

(2) for his transfer to Bengal; and

(*ii*) the condition of Mr. Bose's health at present?

(*b*) Is the Hon'ble Minister aware that—

(*i*) the family allowance given to his family is inadequate; and

(*ii*) the allowance does not even cover his insurance premiums?

(*c*) If so, is the Hon'ble Minister considering the desirability of approaching the Government of India for the increase of Mr. Bose's allowance to such an amount which will satisfy all the wants of the family?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): In this matter the Government of Bengal has officially no *locus standi*.

Mr. CHARU CHANDRA ROY: Sir, no answer has been given to my question. My question is not whether the Government of Bengal has officially no *locus standi* but whether the Government of Bengal have approached the Government of India in the matter.

Mr. SPEAKER: You are discussing the nature of the answer. I quite see your point. You may simply ask whether the Bengal Government approached the Government of India.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state whether the Bengal Government or the Hon'ble the Home Minister approached the Government of India for the release of Mr. Sarat Chandra Bose?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, as I have stated in my reply, the Government of Bengal has got no *locus standi* nor the Home Minister as such has any *locus standi*, but in their individual capacity they may have taken certain steps.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if officially the Bengal Government have any reports regarding Mr. Sarat Chandra Bose collected and submitted to the Government of India to enable them to take action with regard to him?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I could not quite follow the question.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if unofficially there is any responsibility of the Government of regarding Mr. Sarat Chandra Bose and forwarded such information to the Government of India on which action was taken?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, when action was taken I was not in charge of the department, and I am not aware on what information the Government of India took steps in the matter of Mr. Sarat Chandra Bose.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if unofficially there is any responsibility of the Government of Bengal or of the Ministers of this Government in connection with Mr. Sarat Chandra Bose's detention?

Mr. SPEAKER: How does that question arise?

Dr. NALINAKSHA SANYAL: Sir, he says that officially they have no *locus standi*. So my question is whether unofficially they have——

Mr. SPEAKER: We are not concerned with things unofficial.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if any representation has been made by any member of the present Cabinet to the Government of India with a view to effecting Mr. Bose's release?

The Hon'ble Khwaja Sir NAZIMUDDIN: I will again refer the honourable member to what I have stated previously that officially we have taken no steps, but in our individual capacity some of the Ministers might have done so.

Mr. SPEAKER: We are not concerned with what any member did in his individual capacity. I think it would have been better if Sir Nazimuddin did not give that answer. I cannot allow any supplementary question on what a member did in his personal capacity: it has nothing to do with the House.

Rai HARENDRA NATH CHAUDHURI: Sir, so far as question (*b*) is concerned, the reply is no reply at all. The question is specific, namely,—

Is the Hon'ble Minister aware that—

(*i*) the family allowance given to his family is inadequate; and

(*ii*) the allowance does not even cover his insurance premiums?

These questions relate to facts, and will the Hon'ble Minister be pleased to state whether these facts are within his knowledge or not?

The Hon'ble Mr. H. S. SUHRAWARDY: There is a basic assumption of official news.

Mr. SPEAKER: These are questions which the Hon'ble Minister has answered in one sentence. He is supposed to know the English language and he has answered them in that way. But it seems you are not satisfied with the answer and for that you can put supplementary questions but you cannot argue and discuss.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether he is aware of the facts mentioned in (*b*) (*i*) and (*ii*)?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I want to correct the answer. As regards (*b*) (*i*) and (*ii*), I have got some official knowledge of the subject. The matter is under correspondence with the Government of India and therefore I am not prepared to disclose that.

Mr. KIRAN SANKAR ROY: Since when?

The Hon'ble Khwaja Sir NAZIMUDDIN: For the last three or four months.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state whether the Government ever in the past assured some of their party members that they would approach the Government of India to seek the redress referred to in the question?

Mr. SPEAKER: You cannot bring in party questions here. That question does not arise.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state whether it is a fact that when they came into office he and some of his colleagues gave a promise to the people that they would try their utmost to release Mr. Sarat Chandra Bose or to bring him to Bengal?

Mr. SPEAKER: Do you mean by that whether he made an announcement? In that case you can put a question to that effect if you like.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state whether he and his colleagues gave an assurance that he and his colleagues would try to release Mr. Sarat Chandra Bose or to bring him to Bengal?

The Hon'ble Khwaja Sir NAZIMUDDIN: May I ask, assurance to whom?

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state whether the Government ever assured some honourable members of this House that they would approach the Central Government to seek the redress referred to in the question?

The Hon'ble Khwaja Sir NAZIMUDDIN: The answer is in the negative.

Dr. NALINAKSHA SANYAL: With reference to the question of the condition of Mr. Bose's health, at present, is the Hon'ble Minister in charge of the Department of Home and Public Information got any official information relating to his present state of health?

The Hon'ble Khwaja Sir NAZIMUDDIN: No, Sir.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to indicate the nature of the representation that was made by this Government or by any of the Ministers to the Government of India?

Mr. SPEAKER: I think the Hon'ble Minister has already said that he is not prepared to answer that because the matter is now under correspondence with the Government of India.

GOVERNMENT BILL.

The Bengal Agricultural Income-tax Bill, 1944.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mr. Speaker, may I propose that you do now adjourn the House till tomorrow. We have just reached clause 6 of the Bengal Agricultural Income-tax Bill. Clauses 6 and 7 are two of the more difficult clauses in this very technical Bill, and we have a number of amendments to consider. My colleagues and I have not been able to make up our minds on some of the amendments, and I think it would on the whole be economy of time if we did not discuss clauses 6 and 7 today. As honourable members have probably come prepared to discuss clauses 6, 7, 8, etc., I suggest that we do adjourn till tomorrow, take up the Bill tomorrow and proceed with the Bill tomorrow. This would be of great assistance to us and, I think in the long run to the House, and I hope the House has no objection.

Dr. NALINAKSHA SANYAL: We would not object to adjournment of discussion particularly when the Hon'ble Minister in charge is experiencing certain practical difficulties both with regard to his colleagues and his party and probably the European Party most——

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: The European Party has got nothing to do with this proposal.

Mr. A. F. STARK: I would like to make it clear that this has nothing to do with us at all.

Mr. SPEAKER: Dr. Sanyal, it is a Government Bill. The day is allotted for Government business. Government is not willing to proceed with the business today. What can either the Opposition or the Speaker do? We cannot do anything.

Dr. NALINAKSHA SANYAL: I have got some other submissions to nake.

Mr. SPEAKER: If you have got anything to say, what is it? Are you alking on a point of order?

Dr. NALINAKSHA SANYAL: Then point of order. (Laughter.)

Mr. SPEAKER: I think, Dr. Sanyal, when you say "point of order" you ully realise what a point of order is and you say so with the fullest responsibility a member is expected to have.

Dr. NALINAKSHA SANYAL: If it is not a point of order you will give ne admonition, I know.

Sir, the rule states—rule 18—that on every other day than Friday we hall have Government business—"Except at the meeting on Friday of each veek, Government business, unless the Governor otherwise directs, shall ıave precedence at every meeting of the Assembly". That means that if here is no Government business, then non-official business that has been ıanging on and which has not been finished will come in because there is no uestion of the House adjourning on that account. If the Government usiness is withdrawn, I submit that we will straightaway proceed with the nfinished non-official business which has been kept over from Friday. That s my point of order.

Mr. SPEAKER: I am sorry, though you have tried to make it a point of order, it is not a point of order. It is a request that non-official business nay be taken up.

Dr. NALINAKSHA SANYAL: We have a right to do that.

Mr. SPEAKER: There is no programme to that effect.

Dr. NALINAKSHA SANYAL: Programme is no part of the business.

Mr. SPEAKER: There is nothing on the Order Paper today except this usiness.

Dr. NALINAKSHA SANYAL: There is no rule that the Order Paper nust be followed.

Mr. SPEAKER: Dr. Sanyal, you have so many times gone through the rules and you are perhaps one of the members of the committee which framed the rules. Look at rule 21. There it is stated that if any matter not on the agenda has got to be taken up, the Speaker's consent is necessary, and you could have said that.

Dr. NALINAKSHA SANYAL: We ask your leave.

Mr. SPEAKER: That is a different thing; that is no point of order. However, I do not think it will be convenient to take any other business today. The House stands adjourned till 3-30 p.m. tomorrow.

Adjournment.

The House was accordingly adjourned at 4-27 p.m. till 3-30 p.m. on Thursday, the 17th February, 1944, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 17th February, 1944, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. SYED NAUSHER ALI) in the Chair, 12 Hon'ble Ministers and 183 members.

Nawabzada K. NASARULLAH: Mr. Speaker, Sir, the questions to be answered by the Hon'ble Mr. H. S. Suhrawardy may kindly be held over. He has gone out and will be back within half an hour.

(Starred questions Nos. 91 and 92 were thereupon held over.)

STARRED QUESTIONS

(to which oral answers were given)

Annual grant to Mental Hospital at Calcutta and Mankundu.

***93. Mr. HEM CHANDRA NASKER:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*i*) whether the Mental Hospital at Calcutta and Mankundu has been recognised by Government; and

(*ii*) if so, what aid he has proposed to give to this institution annually?

(*b*) If the answer to (*a*) (*ii*) is in the negative, will the Hon'ble Minister be pleased to state the reasons thereof?

(*c*) Is it a fact that Government are granting annual aid to the Mental Hospital at Ranchi?

Khan Sahib HAMIDUDDIN AHMAD (on behalf of the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): (*a*) (*i*) Yes, a provisional license was granted for two years to the hospital last year.

(*ii*) A capital grant of Rs.7,500 was paid to the hospital last year. The proposal for a further suitable grant is under my consideration. The question of annual recurring grant will be considered in due course after the hospital has fulfilled the terms and conditions of the license and has been able to secure a permanent licence under the provision of Indian Lunacy Act.

(*b*) Does not arise.

(*c*) Yes.

Supersession of Burdwan municipality.

***94. Mr. ADWAITA KUMAR MAJI:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether the Burdwan municipality has of late been superseded?

(*b*) If so, will the Hon'ble Minister be pleased to state—

(*i*) the reason of such supersession; and

(*ii*) whether it is in the contemplation of the Government to withdraw the order of supersession at present?

(*c*) If the answer to (*b*) (*ii*) is in the negative, will the Hon'ble Minister be pleased to state the reason thereof?

(*d*) Is it a fact that the commissioners and Burdwan people appealed to the Government through the Divisional Commissioner to withdraw the order of supersession?

(*e*) If so, will the Hon'ble Minister be pleased to state—

(*i*) when; and

(*ii*) what action, if any, has been taken on it?

Khan Sahib HAMIDUDDIN AHMAD (on behalf of the Hon'ble Khan Bahadur Maulvi Jalaluddin Ahmad): (*a*) Yes.

(*b*) (*i*) The municipal commissioners refused to frame a budget for the current financial year and so threatened to bring the administration to a standstill.

(*ii*) The period of supersession has been terminated with effect from the 15th February, 1944.

(*c*) to (*e*) Do not arise.

Production of quinine at Mungpoo Cinchona Factory.

*95. **Mr. J. R. WALKER:** Will the Hon'ble Minister in charge of the Forests and Excise Department be pleased to state—

(*a*) what are the figures of production of quinine from the Cinchona Factory at Mungpoo month by month during the two years to 31st December, 1943;

(*b*) what are the figures of production of cinchona bark from the plantations month by month during the same period;

(*c*) what is Government's scheme of expansion of quinine production;

(*d*) what steps have been taken to increase the productive capacity of the factory;

(*e*) to what extent it is immediately possible to increase the production of cinchona bark from the plantations;

(*f*) what steps have been taken by Government to instal plant and machinery in the factory necessary to cope with the increased production of cinchona bark under the new Russian method; and

(*g*) what additional area of forest land has been made available for the planting of cinchona trees?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Premhari Barma): (*a*)—

1942.		lbs.
January	... ...	4,823
February	.. ...	4,650
March	... ...	4,874
April	... ...	4,357
May	... ...	4,851
June	... ...	3,755
July	... ...	4,498
August	... ...	6,194
September	... ...	5,669
October	... ...	5,350
November	... ...	4,545
December	.. ...	4,564
	Total ...	58,130

1943.		lbs.
January	... ...	5,350
February	... ...	3,985
March	... ...	3,488
April	... ...	3,574
May	... ...	6,632
June	... ...	6,251
July	... ...	8,054
August	... ...	6,656
September	... ...	5,729
October	... ...	6,129
November	... ...	5,468
December	... ...	7,965
	Total ...	69,281

(*b*) Harvesting of bark is a seasonal operation and drying also takes irregular periods of time. Monthly production figures are, therefore, not available. Production of bark in the financial year 1941-42 was 1,465,000 lbs. and for the year 1942-43 was 1,611,300 lbs.

(*c*) This Government's scheme of expansion of quinine production has been devised with a view to reach an outturn of 100,000 lbs. of quinine per annum within the space of twelve years more by gradual extension of the plantations and the productive capacity of the quinine factory.

(*d*) Additions have been made to the extraction plant of the factory during the last two years and its capacity of production has now been increased by 30 per cent. The factory is now capable of handling 2,000,000 lbs. of bark per annum.

(*e*) It is expected that the harvest of bark from the existing plantations at Mungpoo and Munsong during the next three years—1944-45, 1945-46, 1946-47—will be 2,000,000 lbs. annually. But it is expected that in 1947-48 there will be a drop in the harvest from these plantations as mature blocks will gradually go down due to the harvests in the 3 previous years. But the new plantation started at Rongo according to expansion scheme is expected to yield 112,000 lbs. of bark annually from 1945-46 up to 1949-50 and an annual yield of 560,000 lbs. of bark from 1950-51. The new plantation at Latpanchor is also expected to give annual harvest of 140,000 lbs. of bark from 1950-51 making the total yield in 1950-51 to be 2,200,000 lbs.

It is not considered advisable to utilise the existing bark resources at a more rapid rate since this can be done only at the expense of future quinine production.

(*f*) Additional bark harvest is expected first in 1946 from the new scheme of cultivation under the Russian method. The scheme is being financed by the Government of India who are having experiments conducted to devise the best method of extraction of quinine from bark obtained under this form of cultivation with a view to instal the necessary plant.

(*g*) Additional areas of forest land proposed to be released for cinchona plantations are:—

Rongo block—200 acres per year for the next 3 years.

Latpanchor group of blocks—50 acres per year during the experimental period of 4 years from 1943 and thereafter about 150 acres per year.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us what were the normal requirements of quinine in a normal year?

Mr. SPEAKER: That question does not arise.

Mr. A. F. STARK: Will the Hon'ble Minister be pleased to explain the fall in the production of quinine in the months of February, March and April, 1943? The production as stated in the reply in 1943 is 3,985 in February, 3,488 in March and 4,574 in April and it drops from 5,350 in January.

The Hon'ble Mr. PREMHARI BARMA: It is not possible for me to give reasons. Perhaps there was short supply of bark in those months and therefore production was less.

Mr. A. F. STARK: Will the Hon'ble Minister be pleased to explain the fluctuations in the production of quinine from month to month? The figures show wide differences in 1943. In one month the production is 6,000 lbs., in another month it drops to 5,000 lbs. and odd and next month it goes up.

The Hon'ble Mr. PREMHARI BARMA: I want notice.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state why the supply of bark was short?

The Hon'ble Mr. PREMHARI BARMA: That was due to shortage of labour and other things.

Mr. ATUL CHANDRA SEN: What are those other things?

The Hon'ble Mr. PREMHARI BARMA: Shortage of labour, shortage of transport, etc.

Mr. A. F. STARK: Will the Hon'ble Minister be pleased to state if it is a fact that the plantations are in a position to supply more bark than the factories can have it?

The Hon'ble Mr. PREMHARI BARMA: No, that is not a fact.

Action taken by Government against newspapers and presses.

***96. Mr. PRATUL CHANDRA GANGULI:** (*a*) Will the Hon'ble Minister in charge of the Home (Press) Department be pleased to state—

(*i*) the number and names of the newspapers, periodicals and presses against whom actions were taken by the Government since the beginning of the present War without previous notice to and consultation and discussion with the Provincial Press Advisory Committee;

(*ii*) the number and names of the newspapers, periodicals and presses against whom actions were taken by the Government after giving previous notice and having consultations and discussion with the Provincial Press Advisory Committee;

(*iii*) the number and names of the newspapers, periodicals and presses against whom actions were taken by the Government rejecting the unanimous recommendations of the Press Advisory Committee; and

(*iv*) whether Press Advisory Committee functions in the Province of Bengal?

(*b*) If the answer to (*a*) (*iv*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*c*) Will the Hon'ble Minister be pleased to state whether the Government of Bengal gives previous notice to and consults and discusses with the Provincial Press Advisory Committee before taking any action against any newspapers, periodicals and presses?

(*d*) If the answer to (*c*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*e*) Will the Hon'ble Minister be pleased to state the names and number of newspapers, periodicals and presses that were suppressed temporarily or permanently by the order of the Government since the beginning of the present war?

(*f*) Will the Hon'ble Minister be also pleased to state the names of newspapers and periodicals on which the order for precensorship of news and views before publication was served temporarily or permanently under Defence of India Rules or under any other laws?

(*g*) Will the Hon'ble Minister be pleased to state—

(*i*) in how many cases the Government prohibited the publication of factual news; and

(*ii*) whether he is considering the desirability of removing all restrictions on the newspapers, periodicals and press except those necessitated for purely military considerations?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) to (*iii*) The Provincial Press Advisory Committee was formed on the 30th November, 1940. A statement giving the information asked for from this date is laid on the Table.

(*iv*) Yes.

(*b*) Does not arise.

(*c*) Yes, but not in cases in which the proposed action is in accordance with a view already expressed by the Committee or where urgent action is essential. In the latter class of case, the action taken is reported to the Committee afterwards.

(*d*) Does not arise.

(*e*) and (*f*) See the statement laid on the Table.

(*g*) (*i*) No orders have been issued prohibiting the publication of individual items of factual news, but on six occasions since April, 1940, general orders have been issued for security reasons prohibiting the publication of news about certain subjects.

(*ii*) No.

Statement referred to in reply to clause (a) (i) to (iii) of starred question No. 96.

Serial No.	Name of Press, Newspaper or Periodical.	Nature of action taken.	Number of times action taken after consultation with P.P.A.C.		Number of times action taken without previous consultation with P. P. A. C.	Number of cases of suppression of News-papers.	Number of cases in which pre-censorship Orders were issued.
			With Committee's recommendation.	Against Committee's recommendation.			
1	2	3	4	5	6	7	8
1	"Amrita Bazar Patrika."	Precensorship Orders ..	..	1	..	..	1
2	"Ananda Bazar Patrika."	Prosecution of Editor, Printer and Publisher.*	..	..	1	..	..
3	"Azad" ..	(1) Demand of security ..	..	..	1	..	..
		(2) Suppression temporarily and forfeiture of issue, dated 3rd October, 1942.†	..	..	1	1	..
4	"Bharat" ..	Prosecution of Editor, Printer and Publisher *	..	..	1	..	..
5	"Basumati (Daily)"	(1) Prosecution of Editor, Printer and Publisher.*	..	..	1	..	..
		(2) Suppressed temporarily and issued, dated 23rd March, 1941, forfeited.	..	..	1	1	..
6	"Ittehad" ..	Precensorship Order ..	1	..	.	..	1
7	"Joyasree" ..	Forfeiture of security ..	1	..	..	..	..
8	"Navayug" ..	(1) Suppressed temporarily‡	..	..	1	1	..
		(2) Prosecution of Editor, Printer and Publisher.	..		1	..	..

9	"Star of India"	(1) Suppressed temporarily and issued, dated 20th April, 1942, forfeited.	..	..	1	1	..
		(2) Suppressed temporarily and issued, dated 5th November, 1942, forfeited.†	..	..	1	1	..
10	Mohammadi Press	Demand for security ..	..	..	1	..	..
11	New Sarada Press	Ditto ..	.	.	1	..	..
12	Sree Gouranga Press.	Prosecution of the Keeper	..	..	1	..	..
13	Sakti Press ..	Precensorship Order ..	..	..	1	..	1
14	"Veer Bharat" ..	Precensorship Order§ ..	1	..	1	..	1
15	"Vishwamitra" ..	Prosecution of Editor, Printer and Publisher.	1	..	..	.	..
16	"Yugantar" ..	Forfeiture of issue, dated 21st April, 1942, and temporary suppression on two occasions.‖	.	1	1	2	..
		Total ..	3	3	16	7	4

*Action taken was in keeping with assurances given and views expressed by the Committee in a previous resolution and subsequently endorsed by the Press as whole in two successive Press Conferences.

†Action taken was communicated to P. P. A. C. for endorsement.

‡Contravention of an order under Defence of India Rule 41(*1*)(*b*).

§The Committee condemned this paper unanimously.

‖The case being urgent, action was taken before consulting the P. P. A. C. but the nature of action taken was duly communicated to the Committee for endorsement.

Mr. ATUL CHANDRA SEN: With reference to answer (*c*) where it is stated that the Provincial Committee is not generally consulted where urgent action is essential, will the Hon'ble Minister be pleased to state how much time it takes to have the opinion of the Committee on the subject?

The Hon'ble Khwaja Sir NAZIMUDDIN: That depends on how quickly the Committee can meet, but it may be necessary to take immediate action. If the Committee is to be consulted notice has got to be given asking the Committee to meet and that may not be possible. It is on such occasions that action is taken without consulting the committee.

Mr. ASHUTOSH LAHIRI: Will the Hon'ble Minister be pleased to state whether the Government consulted the Advisory Committee before issuing orders on the *Amrita Bazar Patrika* regarding the publication of its editorials?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would refer the honourable member to the statement accompanying this answer.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state whether there are any members of the Provincial Advisory Committee residing outside Calcutta?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Damage caused in Midnapore by breach in embankments and Government steps for relief.

*97. **Mr. ISWAR CHANDRA MAL:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact that several breaches have been caused in the—

(*i*) Amraoti (Takavi),
(*ii*) Jalamutha (Scheduled D),
(*iii*) Subarnarekha,

and other embankments by the recent floods of Kalighai, Subarnarekha, Baghui, Cossayee and Shilai rivers in the district of Midnapore?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the extent of areas flooded in each subdivision of the district;
(*ii*) the extent of damage to—
(1) crops,
(2) cattle, and
(3) human life, and
(4) number of houses collapsed in each subdivision of the district;
(*iii*) the steps taken to give relief to the people;
(*iv*) the number of relief centres with the names of places where they have been opened in the affected areas;
(*v*) the number of free kitchens, if any, in the affected areas and names of places where they have been started;

(*vi*) the total number of heads that are getting gratuitous help from the Government Relief Centres;

(*vii*) the total quantity of foodgrains required for the relief works; and

(*viii*) the establishment, if any, of a supply centre of foodgrains?

(*c*) Is it a fact that rice is not available easily in the affected areas of Contai, district Midnapore?

(*d*) If the answer to (*c*) is in the affirmative, is the Hon'ble Minister considering the desirability of starting a number of supply centres at Contai?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Tarak Nath Mukerjea): (*a*) Yes.

(*b*) (*i*)—

		Square miles.
Contai	...	140
Tamluk	...	55
Sadar (South)	...	117·49
Ghatal	...	10
Sadar (North)	...	23
Jhargram	...	28
Total	...	373·49

(*ii*) (1) *Contai subdivision.*—Vegetables were damaged to the extent of 12 annas. In about 80 sq. miles crops were either damaged or destroyed.

Tamluk subdivision.—Crops in about 25,600 acres of land damaged.

Ghatal subdivision.—Crops in 665 acres of land damaged.

Jhargram subdivision.—The *aus* paddy of about 2,000 bighas has been destroyed to the extent of 50 per cent. The *aman* paddy of the flooded area has also been damaged to the extent of 4 annas.

Sadar (South).—Crops in 26,688 bighas of land damaged.

Sadar (North).—50 per cent. crops in 600 bighas damaged.

(2) Seventy-four in Tamluk, 100 in Jhargram and 44 in Sadar South.

(3) Only 1 in Contai.

(4) Not many in Contai subdivision, 3,017 in Tamluk, 13 in Ghatal, 2,500 in Jhargram, 3,372 in Sadar (South).

(*iii*) Immediate arrangements were made to give relief in food and clothing to the people of the affected areas. Temporary arrangements were also made to give shelter to the homeless people by erecting *hogla* sheds on highlands, roads embankments and schools.

Gratuitous relief and agricultural loan in cash and seeds are being distributed.

(*iv*) *Contai subdivision.*—Eleven centres at Bhagawanpur, Mugberia, Kajlagarh, Manglamaro, Protapdighi, Sat-mile, Balishai, Pichhaboni, Deuli, Ramnagar and Paniparul.

Tamluk subdivision.—Five centres at Khaniadihi, Panskura Camp II, Siddha in Panskura police-station, Asnan in Moyna police-station and Hamanara in Nandigram police-station.

Ghatal subdivision.—Two centres, one at Kadilpore in Union No. III and another at Temohani in Union No. IV.

Jhargram subdivision.—Two relief kitchens have been opened.

Sadar (North) subdivision.—One relief centre in Harishpur in police-station Midnapore.

(*v*) *Contai subdivision.*—Five hundred and fifteen as detailed in the statement laid on the Library Table.

Tamluk subdivision.—Twenty-two as per statement laid on the Library Table.

Ghatal subdivision.—Three free kitchens were opened in unions II, III and IV.

Jhargram subdivision.—Two relief kitchens have been opened.

Sadar (North).—Free kitchens have been opened at Harishpur in Midnapore police-station.

Sadar (South).—Free kitchens were organised at Santia Gomunda Bazar, Majurbeli Borai, Nilta, Digda Dhuipara, Dantunia in police-station Mohanpur, Dantan (in police-station Dantan), Bagarthi (police-station Keshiari), Dasagram, Sarto, Dharika Sabang, Ruihan and Khulbheri in police-station Sabang. These kitchens were started up to the 15th September, 1943. The total number in Midnapore up to the 22nd September, 1943, is 771 but names of places are not readily available.

Many private kitchens are working in Sadar (South) subdivision which will be shortly replaced by Government kitchens.

(*vi*) 198,659, in Contai subdivision.

28,134 in Tamluk subdivision, 1,260 in Ghatal subdivision, 500 in Jhargram subdivision, 200 in Sadar (North) subdivision.

(*vii*) *Contai subdivision.*—About 22,000 maunds per month.

Tamluk subdivision.—1,054 maunds monthly for the area affected by this flood.

Ghatal subdivision.—440 maunds monthly.

Jhargram subdivision.—11,000 maunds monthly.

Sadar (North).—Monthly 100 maunds.

Sadar (South).—Monthly 10,000 maunds.

(*viii*) Supply centres have been established in the Contai and Tamluk subdivisions.

(*c*) Yes.

(*d*) These have already been started in Contai.

Mr. P. BANERJI: Will the Hon'ble Minister be pleased to state if it is a fact that these relief centres have now been discontinued?

The Hon'ble Mr. TARAK NATH MUKERJEA: Yes.

Mr. P. BANERJI: Will the Hon'ble Minister be pleased to state since when the relief centres have been discontinued?

The Hon'ble Mr. TARAK NATH MUKERJEA: Different centres were discontinued at different times. If the honourable member wants more details I would ask for notice.

Selection of contractors for Air-freight Depot and Damodar breach repairs and embankment construction works.

***88. Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*a*) the procedure now followed for the selection of contractors for different categories of work under the disposal or supervision of the Communications and Works Department, including the Irrigation Branch;

(*b*) the changes, if any, effected in the procedure during the regime of the present Ministry and the reasons for such changes;

(*c*) the firms, the names of proprietors of such firms and their previous records of work in the Communications and Works Department that have been entrusted with the works for—

(*i*) Job No. MN 8 Air-freight Depot, and

(*ii*) Damodar breach repairs and embankment construction at different stages, showing the changes in the list made, if any, and the approximate estimated value of the work entrusted to each party; and

(*d*) the name or names of the persons who took part in the selection of the contractors for the two jobs at different stages;

(*e*) the consideration or considerations that were kept in view and the materials on which such considerations were based for the selection of the contractors;

(*f*) the statement showing the list of tenderers for the above two works together with the rates offered by each party?

Mr. ATUL CHANDRA KUMAR (on behalf of the Hon'ble Mr. Barada Prasanna Pain): (*a*) and (*b*) Copies of Bengal Government No. 4464(2)A., dated the 9th December, 1943, and amendments thereto are laid on the Library Table together with copies of the orders referred to in paragraph (5) thereof.

The changes were made with a view to distribute works of the Communications and Works Department on a fair communal basis and also to distribute big works among as many contractors as possible.

(*c*) Three statements giving the information asked for are laid on the Library Table, one statement for each of the three works.

Government recognise established firms but are not concerned with the constituents of firms. Government are therefore not in position to give the names of the proprietors of the different firms.

(*d*) Regarding Job No. MN 8, all contracts under phase I except that of Messrs. S. K. Chakravarty Ltd., were given by Mr. P. C. Neogi, I.S.E., Superintending Engineer, Defence Works Circle, before the changes in the procedure regarding selection of contractors were given effect to by Government. The contract to Messrs. S. K. Chakravarty Ltd., was given by the Board.

Contracts under phase II were all given by the Board.

As regards Damodar Breach repairs, the selection of contractors was made by Mr. J. F. Russell, I.S.E., Superintending Engineer, Development Circle, before the changes in the procedure regarding selection of contractors were given effect to by Government.

Regarding Damodar Embankment Construction work, all contracts were distributed by the unanimous decision of the Board.

(*e*) Regarding Job No. MN 8, column 3 of the statement I referred to in the reply to question (*c*) may be seen. The fact that the work was required to be completed by a target date had also to be kept in view.

Regarding Damodar breach repairs and Damodar Embankment construction works, ability to do the works by target dates and to procure and maintain at work sites sufficient numbers of coolies to do so were the factors that were taken into consideration.

(*f*) The question does not arise, as under the orders referred to in the reply to the questions (*a*) and (*b*) such works are not required to be distributed after invitation of tenders to contractors on rates offered by them but have to be distributed among the selected contractors by the Board at rates settled by the Superintending Engineer.

Dr. NALINAKSHA SANYAL: With reference to answer (*a*) and (*b*) referring to the Government letter, dated the 9th December, 1943, will the Hon'ble Minister be pleased to state what was the communal basis fixed as a fair communal basis for the distribution of contracts under the department?

Mr. ATUL CHANDRA KUMAR: 1 : 1—50 per cent.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if that basis has been followed in the subsequent distribution of contracts, especially in the matter of the two jobs referred to?

Mr. ATUL CHANDRA KUMAR: After the change of procedure in the rules it was followed strictly as far as practicable.

Mr. ABUL HOSAIN AHMED: Will the Hon'ble Minister be pleased to state whether it is a fact that before the change of procedure in the rules not a single Muslim contractor did get any work in connection with the Damodar breach repair work?

Mr. ATUL CHANDRA KUMAR: Yes, before that not a single Mahomedan contractor was given any work.

Mr. PRAMATHA RANJAN THAKUR: With reference to answer (*a*) and (*b*) wherein it is stated that the changes were made with a view to distribute works of the Communications and Works Department on a fair communal basis, will the Hon'ble Minister be pleased to state whether any Scheduled Caste member has got any contract under this Department?

Mr. ATUL CHANDRA KUMAR: I want notice.

Mr. ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether after the establishment of the Board the number of Muslim contractors has been increased?

Mr. ATUL CHANDRA KUMAR: Yes, Sir.

Dr. NALINAKSHA SANYAL: With reference to answer (*c*) referring to three statements, will the Hon'ble Minister be pleased to state how was the communal character of the contractor known without knowing the name of the proprietor or the constituents thereof?

Mr. ATUL CHANDRA KUMAR: It was verified whether the firm belonged to a Muhammadan or to a Hindu.

Dr. NALINAKSHA SANYAL: How is that possible if the name of the proprietor of the firm is not known. The statement shows under the head "Name of the proprietor or partner" that it is not known.

Mr. SPEAKER: What do you mean to say? Do you mean to say that the answer is inconsistent?

Dr. NALINAKSHA SANYAL: No, Sir. Government has fixed a quota, and I want to know how did they arrive at it.

Point of Order.

Khan Bahadur MOHAMMED ALI: On a point of order, Sir. I want your ruling, Sir, as to whether it is permissible for a member to remove a statement laid on the Library Table and to bring that to the House?

Mr. SPEAKER: How does that question arise at all? That is a hypothetical question.

Khan Bahadur MOHAMMED ALI: Sir, I may be permitted to draw your attention to the fact that Dr. Sanyal has brought out a statement which evidently is the statement laid on the Library Table, and I would like to have your decision on the point as to whether it is permissible for a member to remove that statement from the Library Table where it has been placed for the perusal of the honourable members.

Mr. SPEAKER: Well, you mean to say that Dr. Sanyal has removed the statement that was laid on the Library Table and ask me to say whether it was proper or not. Then, that is a question of propriety.

Khan Bahadur MOHAMMED ALI: I think it is a question of privilege because the statement has been laid on the Library Table for the information of the members of this House and there may be a member from this side of the House who may like to consult it.

Mr. SPEAKER: Khan Bahadur Mohammed Ali, at first you raised it as a point of order; When I ruled that it was not a point of order, then you have raised it as a matter of privilege. To be frank with you I have got a very vague idea about the question of privilege that is now and then raised in the course of a discussion. I am not prepared to give any opinion about this question of privilege, and I will therefore consider this matter and will give my considered opinion hereafter after consulting the Committee of Privileges, if necessary.

Khan Bahadur MOHAMMED ALI: Supposing, Sir, a member wants to consult the statement laid on the Library Table when this question is being answered, he would be debarred from having a look at the statement to which he is fully entitled.

Mr. SPEAKER: Well, Khan Bahadur, you are again referring to the same question on which I have given a decision.

Khan Bahadur MOHAMMED ALI: Sir, I am raising another point of privilege.

Mr. SPEAKER: I have already given my decision about the question of privilege but you are again raising another point of privilege. But as I have indicated just now, I have to see how far it is permissible to raise a point of privilege at every stage during discussion, and if it is absolutely pertinent to the subject matter I have got to examine whether it is permissible. Now what is that privilege?

Khan Bahadur MOHAMMED ALI: My point of privilege is that when this question is being answered it may be necessary for any member to go immediately to the Library to refer to the statement that has been laid there.

Mr. SPEAKER: You are repeating the same question over again.

Khan Bahadur MOHAMMED ALI: My point is that the statement be sent back to the Library Table immediately for the benefit of the other members of the House for which purpose it has been laid there.

Mr. SPEAKER: No, you have not raised any new point of privilege.

Further Supplementaries on Starred Question No. 98.

Dr. NALINAKSHA SANYAL: With reference to answer (*a*) and (*b*), will the Hon'ble Minister be pleased to state if it is a fact that after the 9th of December, 1943, namely, the date of the Government order, the then existing lists of Communications and Works Department contractors were cancelled and thereafter the contractors——

Mr. SPEAKER: I think you should put your questions one by one and not make it too lengthy.

Dr. NALINAKSHA SANYAL: All right, Sir. I shall put one by one. Is it a fact that after the 9th December, 1943, all the existing contractors of the department were removed from the approved list?

Mr. ATUL CHANDRA KUMAR: No.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that in the letter placed on the Library Table these words appear that all existing lists of the Communications and Works Department contractors will be cancelled?

Mr. ATUL CHANDRA KUMAR: Yes, the language is "will be cancelled" after the new list is published.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that fresh enlistment of contractors in the approved list or promotions within the approved lists were thereafter required to be made only in consultation with the Minister in charge?

Mr. ATUL CHANDRA KUMAR: Yes.

Point of privilege.

Mr. ABDUL LATIF BISWAS: On a point of privilege, Sir. Just now I have been to the Library to consult the statement laid on the table there but I could not find it anywhere in the Library.

Mr. SPEAKER: I have already given my ruling on that point. Will you resume your seat?

Mr. ABDUL LATIF BISWAS: On a point of order, Sir. My point of order is this. The reply has been given that the statement is laid on the Library Table. I went in search of the statement but it is not found there. I want your ruling whether Government is justified in making such statements in the answer.

Mr. SPEAKER: Government may make any answer. It will be accepted as an answer.

Mr. ABDUL LATIF BISWAS: Sir, I had a mind to put supplementary questions.

Khan Bahadur MOHAMMED ALI: On a point of order, Sir. A very important issue has been raised by a member. He has every right to put a supplementary question.

Mr. SPEAKER: Khan Bahadur, you must at least consider for a moment that you have come back to the same thing by different ways. You are harping on that one point.

Khan Bahadur MOHAMMED ALI: No, Sir.

Mr. SPEAKER: You are harping on exactly the same point.

Khan Bahadur MOHAMMED ALI: What I was saying is that the member who rose on a point of order wants to exercise his right to ask supplementary questions and he is entitled to do so. His point is whether these supplementary questions can be put now or what will happen to these questions. He is prevented from asking supplementary questions because of the fact that he cannot get hold of the statement. That is entirely different from what I raised. He as a member cannot exercise his right.

Mr. SPEAKER: This leads us to this—whether the statement has actually been laid on the Library Table or not and, if not laid on the Library

Table, whether the question should be gone into or an enquiry should be made before this question is answered as to what has happened to that statement if it had been laid on the Library Table. I do not propose to go into these questions. The question is being answered.

Mr. ABDUL LATIF BISWAS: Sir, I had a mind to put supplementary questions. I went in search of the statement but it was not found. Will you kindly hold over the question?

Mr. SPEAKER: I have already given my ruling on that point.

Dr. NALINAKSHA SANYAL: Sir, I am making the position clear lest there be any minunderstanding——

Mr. SPEAKER: You need not make anything clear.

Further Supplementaries on Starred Question No. 98.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if in the list of contracts in Job No. MN 8, the first phase of the work has been finished or is still lying unfinished?

Mr. ATUL CHANDRA KUMAR: Not yet completely finished.

Dr. NALINAKSHA SANYAL: With regard to phase No. II work, will the Hon'ble Minister be pleased to state the reason why Messrs. Shalimar Engineering Co. did not agree to do the work?

Mr. ATUL CHANDRA KUMAR: Shalimar Co. are in the best position to answer that question.

Dr. NALINAKSHA SANYAL: Were they not applicants to do the work? Did they not tender for it?

Mr. ATUL CHANDRA KUMAR: Yes, they were.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government ascertained the reason why they had not accepted the work?

Mr. ATUL CHANDRA KUMAR: It is not the business of Government to enquire if a contractor chooses not to accept to do a work.

Dr. NALINAKSHA SANYAL: With regard to the firm of contractors Jeewanram Gangaram, will the Hon'ble Minister be pleased to state if this is the firm which has got cotton piece goods trade in Burra Bazar?

Mr. SPEAKER: How can that question arise out of this?

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether this firm ever did contractor's work elsewhere?

Mr. ATUL CHANDRA KUMAR: Yes.

Dr. NALINAKSHA SANYAL: Where?

(No answer.)

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if this is the same firm that has got a *hat* in Howrah which was organised by and helped in its establishment by the Minister in charge as the Chairman of the Howrah Municipality?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the Hon'ble Minister in charge of the Communications and Works Department has any financial connection with that firm?

Mr. SPEAKER: I disallow that question.

Dr. NALINAKSHA SANYAL: Why, Sir? If the Hon'ble Minister chooses to give a reply to my question, he may come forward.

Mr. SPEAKER: I have disallowed that question.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government are aware that Messrs. Jeewanram Gangaram, piece-goods merchants in Burra Bazar, who is one of the approved contractors, was approved as a first class contractor during the regime of the present Minister in charge?

Mr. SPEAKER: I disallow it for the simple reason that it is not one question. It implies many questions.

Dr. NALINAKSHA SANYAL: All right. Is the Hon'ble Minister aware that Jeewanram Gangaram was enlisted as a first class contractor during the regime of the present Minister in charge?

Mr. ATUL CHANDRA KUMAR: It is shown that the firm is a first class contractor. As regards the point of time, I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state, as approved first class contractor of the department, which work or works in the past were done by this firm?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: Sir, the previous record of work is one of the questions. That is why I asked the question.

Mr. SPEAKER: You are going into details as to what works were done by this firm.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if B. B. Chatterjee, the other selected contractor in that list, is also a close friend of the Minister in charge?

Mr. SPEAKER: Dr. Sanyal, there is one point I must draw your attention to. You seem to cast aspersions on the Hon'ble Minister.

Dr. NALINAKSHA SANYAL: It is a question of fact and I am asking the Hon'ble Minister to say "yes" or "no".

Mr. SPEAKER: But the very fact that you are making this statement in the House casts upon you a serious responsibility and I am sure you are conscious of your own responsibility.

Dr. NALINAKSHA SANYAL: Certainly.

Mr. SPEAKER: But in respect of some other question when I interrupted you, you gave it up.

Dr. NALINAKSHA SANYAL: I did not give it up, but you disallowed it.

Mr. SPEAKER: That was my idea—I may be wrong in my impression. You are now making a suggestion.

Dr. NALINAKSHA SANYAL: I am making an enquiry. There are five names given of contractors in phase No. II out of which one went out. From that list I have taken out only one firm, namely, Jeewanram Gangaram, who was given Rs. 1,90,000 worth of work to find out whether he was a *bona fide* contractor who had done any work previously. But you have disallowed it. So, I could not help it.

Mr. SPEAKER: Dr. Sanyal, you put your question. I have now got a copy and I am looking into it.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state who is the engineer who is looking after the work of Jeewanram Gangaram?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: Sir, I have asked what previous work they have done, and the answer is nil. I have asked another question as to whether he is the same person who has got a *hat* in Howrah.

(Uproar and table thumping.)

Mr. SPEAKER: Order, order. Dr. Sanyal, you have asked the name of the engineer who looks after the work of this firm.

Dr. NALINAKSHA SANYAL: Yes. I have asked another question also as to whether the Hon'ble Minister in charge had ever any financial relation with this firm. (Uproar.)

Mr. SPEAKER: What is your question?

Dr. NALINAKSHA SANYAL: My question is whether the Hon'ble Mr. Barada Prasanna Pain had at any stage any financial relation with this firm of Jeewanram Gangaram".

Mr. SPEAKER: I disallow that question under rule 30.

Maulvi ABDUL LATIF BISWAS: Sir, may I have a chance to put one supplementary question?

Mr. SPEAKER: Yes.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether the firm named Bengal River Service applied for one of the works mentioned in the list and whether it is a fact that Dr. Sanyal approached Mr. Neogi for the contract?

Dr. NALINAKSHA SANYAL: What nonsense!

Mr. ATUL CHANDRA KUMAR: Dr. Sanyal who is an employee of Bengal River Service approached Mr. Neogi for a friend of his. I do not know for whom.

(Uproar and table thumping from the Coalition benches.)

Dr. NALINAKSHA SANYAL: With regard to this collusive reply will the Hon'ble Minister be pleased to state if it is a fact that on the 17th

December, 1943, in the evening Mr. Atul Chandra Kumar, the Parliamentary Secretary, was noticed giving a dinner at his cost to Mr. P. C. Neogi at the Avenue Hotel?

(Uproar and table thumping from the Opposition benches and cries of "shame, shame".)

Mr. SPEAKER: Order, order. That question does not arise.

Mr. ATUL CHANDRA KUMAR: I am prepared to answer that question. (Uproar.)

Mr. SPEAKER: Order please. It is regrettable that matters having nothing to do with official business have been brought in at the question time. If any such suggestion can be made or if any member is satisfied that any such thing happened, he will have ample opportunity of discussing those matters during the budget discussion either during general discussion or at the time of discussing cut motions, but I think during question time we ought to avoid all references to matters of the kind that has just now been brought in.

Mr. FAZLUR RAHMAN: Sir, when any member insinuates in a question and when he is not permitted to put that question, if the Minister or the Parliamentary Secretary wants to give a reply to the insinuation, may we know whether he should not be allowed to do so?

Mr. SPEAKER: I think as soon as a question is disallowed, it loses all its force whatsoever.

Khan Bahadur MOHAMMED ALI: Then it should be expunged from the proceedings.

Mr. FAZLUR RAHMAN: Either it should be expunged from the proceedings or the Parliamentary Secretary or the Minister as the case may be should be allowed to reply to the insinuation.

Mr. SPEAKER: It is unfortunate that questions have been asked in this House which very often required the intervention of the Speaker on grounds like one that has just now been stated. It is expected that members putting questions will strictly remain within the rules and when I disallow a question I think it loses all its force, but even assuming that there may be insinuations of a nature which ought not to be on the record in any way, in that case I will certainly consider the desirability or otherwise as to whether anything like that should be on the record.

Dr. NALINAKSHA SANYAL: In that event, Sir, I would only submit that in reply to the question put by my esteemed friend Maulvi Abdul Latif Biswas certain statements have been made which I want to correct. I am a Director of the River Service Company and not an employee. (Uproar and table thumping.)

Mr. SPEAKER: Order, order. It is unfortunate that during question time even there should be troubles like this. I frankly confess that because of the latitude that I have allowed these things have gone to an extent to which they ought not to have gone and I have got to be stricter and I will be stricter in future. (Cries of "hear, hear" from the Coalition benches.)

But so far as the present thing is concerned, I cannot allow any more bitterness to come into this question. I would only ask Dr. Sanyal to put relevant questions if he has got any.

Dr. NALINAKSHA SANYAL: With reference to the last answer, will the Hon'ble Minister be pleased to state——

Mr. SPEAKER: Dr. Sanyal, will you resume your seat? I shall say one word more and I think you will be satisfied.

Dr. NALINAKSHA SANYAL: How can I be satisfied?

Mr. SPEAKER: Unpleasant expressions have been used——

Dr. NALINAKSHA SANYAL: No unpleasantness has been created.

Mr. SPEAKER: It is certainly unpleasant to you. Otherwise why are you anxious? (Uproar and table thumping.)

Dr. NALINAKSHA SANYAL: (Amidst continued table thumping.) I am not at all worried to be a Director of the Premier Bengali-managed River Service. I want to make it clear——(Uproar and cries of "sit down, sit down" from the Ministerialist Benches.)

Mr. SPEAKER: Order, order. Dr. Sanyal, you know the rules very well. If there has been anything wrong, you will have ample opportunity of replying to that. Now, I do not quite remember what expression Mr. Atul Chandra Kumar used.

Mr. P. BANERJI: Mr. Kumar said "Dr. Sanyal is an employee of the firm'". In fact he is not an employee, he is a Director of the company.

Mr. SPEAKER: If the answer is incorrect, if an incorrect answer is given by the Parliamentary Secretary and if you can challenge it, you put it in a supplementary question, but you cannot say "I am not". You are not answering the Hon'ble Minister.

Dr. NALINAKSHA SANYAL: I am putting a question, but you do not allow me to do so.

Mr. SPEAKER: You can say in the Budget discussion that such and such an incorrect answer was given which was absolutely wrong. If I allow you to discuss the correctness or the incorrectness of an answer, then discussion will go on which is not permissible under the rules.

Mr. P. BANERJI: Is it not open to a member when a question was put by another member to suggest to you that a wrong statement has been made?

Mr. SPEAKER: That is discussion again. I cannot allow that. It may be due to my mistake, it may be due to what might be called (A voice: Indulgence) my erroneous judgment or it may be due to my partiality——

Dr. NALINAKSHA SANYAL: We did not say "partiality".

Mr. SPEAKER: Well, "indulgence" is "partiality". That is not the point for consideration here.

Dr. NALINAKSHA SANYAL: You have allowed a question and an answer. I am entitled to put a supplementary question on that.

Mr. SPEAKER: If you put it in a proper form I would allow you, but you cannot discuss it. You cannot say that he is wrong.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state in what connection of his official duties he came across myself as an employee of an Indian Steamer Company?

Mr. SPEAKER: Strictly speaking I must say at the same time if the Hon'ble Minister wants to take protection under his official cloak against questions that are put to him it is better for him not to introduce in his replies things which do not come within his knowledge in his official capacity. That creates the whole trouble. Whoever might have started it I should have stopped it. If I had failed in that, I am to blame. I hope similar things will not be brought into the questions in future by way of reply or by way of question.

Khan Bahadur MOHAMMED ALI: It is acting just like a boomerang.

Mr. ATUL CHANDRA KUMAR: At the request of Dr. Sanyal himself who asked me and gave me a lift I went to the Avenue Hotel——

Dr. NALINAKSHA SANYAL: I never requested him. It is absolutely incorrect.

Mr. SPEAKER: Order, order, I do not allow any more questions.

Dr. NALINAKSHA SANYAL: Why Sir?

Mr. SPEAKER: Order, order. I am not going to allow any more questions.

Dr. NALINAKSHA SANYAL: I am prepared to go out, but this is not the way in which we are to be treated.

Mr. SPEAKER: I am not going to allow any more questions.

Dr. NALINAKSHA SANYAL: I shall not put any irrelevant question; if I do, you may disallow it.

Mr. SPEAKER: No, no.

Dr. NALINAKSHA SANYAL: Sir, I want to put only one more question.

Mr. SPEAKER: No, I have called the next question.

Dr. NALINAKSHA SANYAL: I want to make a submission——

Mr. SPEAKER: No submission on this question.

Dr. NALINAKSHA SANYAL: May I have your permission to make a submission with regard to something other than this question?

Mr. FAZLUR RAHMAN: No, no.

Khan Bahadur MOHAMMED ALI: After question time.

Mr. SPEAKER: If it is with regard to other matters I may allow you, but not on this question.

Mr. NALINAKSHA SANYAL: On a point of order on this question. I have only one more question to ask——

Mr. SPEAKER: That is not a point of order.

Dr. NALINAKSHA SANYAL: My point of order is this. I had made a reference yesterday to certain Ministerially appointed contractors——

Mr. SPEAKER: Order, order. Dr. Sanyal, kindly resume your seat.

Mr. CHARU CHANDRA ROY: On a point of privilege, Sir. We hear from the ruling that you have given just now about the difference between official and unofficial connections, but I ask if any Hon'ble Minister does any misdeed in the capacity of a Minister have we not the right to question that in the House?

Mr. SPEAKER: You have got every right to bring in a censure motion to remove him from office. You can discuss it on an appropriate occasion; you can also put a question relevant to the point.

Mr. ATUL CHANDRA SEN: Sir, may I point out to you that you have allowed Mr. Abdul Latif Biswas to put a question——

Mr. SPEAKER: Order, order. If you are dissatisfied with my decision you may see me in my chamber.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Grant of family allowance to certain security prisoners.

37. Mr. PRATUL CHANDRA GANGULI: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the following security prisoners have been granted any allowance for the maintenance of their families:—

(*i*) Srijut Ramesh Chandra Ghosh of Tippera,
(*ii*) Srijut Dhiresh Chandra Ghosh of Tippera,
(*iii*) Srijut Priya Ranjan Das Gupta of Barisal,
(*iv*) Srijut Atul Chandra Dutt of Tippera,
(*v*) Srijut Jogesh Chandra Mazumdar of Noakhali,
(*vi*) Srijut Birendra Chandra Ganguli of Dacca,
(*vii*) Srijut Behari Lall Paria of Midnapore, and
(*viii*) Srijut Sudhir Maity of Midnapore?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*c*) Are the Government considering the desirability of reviewing these cases and granting suitable family allowance?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) and (*b*) Babus Ramesh Chandra Ghosh, Dhiresh Chandra Ghosh, Atul Chandra Dutt and Birendra Chandra Ganguli have been given no family allowance, as their families have not been deprived of any legitimate source of income by their arrest and detention.

Babus Jogesh Chandra Mazumdar, Behari Lal Paria and Sudhir Maity were first granted Rs.10 per month, Rs.40 per month and Rs.20 per month,

respectively, as family allowances which have been subsequently increased to Rs.20 per month, Rs.45 per month and Rs.30 per month, respectively.

Babu Priya Ranjan Das Gupta has been granted a family allowance of Rs.40 per month.

(c) The cases have been reviewed.

Appointment of warehouse officers under Chittagong Salt Schemes.

38. Khan Bahadur HAJI BADI AHMED CHOUDHURY: Will the Hon'ble Minister in charge of the Industries Department be pleased to state—

(a) the designation of the following officers appointed under Industries Department notification No. 3453Ind., published in the *Calcutta Gazette* of 6th January, 1944:—

(i) Brojendra Lal Sen,
(ii) Bankim Chandra Datta,
(iii) Ananta Mohan Sen, and
(iv) Bazul Ahmad;

(b) the pay;
(c) the function of these posts; and
(d) whether it is one of their functions to prevent people from securing articles for family consumption in exchange of salt prepared by them?

MINISTER in charge of the INDUSTRIES DEPARTMENT (the Hon'ble Mr. K. Shahabuddin): (a) (i) Warehouse Officer, Iswar Babu's *Hat*

(ii) Warehouse Officer, Rajakhali.
(iii) Warehouse Officer, Gorakghata.
(iv) Warehouse Officer, Kutubdia.

(b) Rs.90 each per mensem *plus* usual dearness allowance.

(c) (i) To remain in general charge of the respective warehouses and to help the agents concerned in purchasing salt.

(ii) To see that no salt is allowed to go out of the warehouses without prior payment of Central Government's duty at the rate of Re.1-9 per maund and local Government's dues at 3as. per maund.

(iii) To maintain all accounts and books correctly and to submit periodical reports and returns to the Director of Industries and also to bring to his notice any irregularities that may take place at the warehouses.

(d) No.

Mr. CHARU CHANDRA ROY: The Hon'ble Chief Minister said that he would make a statement regarding the policy of granting increments to family maintenance allowance of security prisoners but we have not heard anything up to date.

Mr. SPEAKER: Order, order. On what question are you speaking?

Mr. CHARU CHANDRA ROY: No. 37. Such questions are coming up every day.

Mr. SPEAKER: That question is over. We are now on 38.

Distribution of kerosene oil in Munshiganj subdivision, Dacca.

39. Mr. BIRAT CHANDRA MONDAL: (*a*) Will the Hon'ble Minister in charge of the Civil Supplies Department be pleased to state what arrangements, if any, have been made for the distribution of kerosene oil in the subdivision of Munshiganj, specially Lohajang, Keraniganj and Tejgaon thanas of the Dacca district?

(*b*) Is the Hon'ble Minister aware that inequitable distribution of kerosene oil at Khitirpara Union within Lohajang thana under Munshiganj subdivision is causing inconvenience to the Union rate-payers?

(*c*) If so, what action does the Hon'ble Minister propose to take in the matter?

MINISTER in charge of the CIVIL SUPPLIES DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) The district has been divided into six units. Dacca City, Tejgaon and Keraniganj thanas form one unit which is controlled by the District Magistrate himself, the other units being controlled by the Subdivisional Officers concerned. They issue licences and control the distribution within their respective jurisdiction.

Retail distribution is done through dealers selected in consultation with the Presidents of Union Boards as well as a certain number of established retailers or agents.

(*b*) and (*c*) The allotment given to this Union is not inequitable. There is some inconvenience due to curtailment of supply of kerosene by the Oil Companies.

GOVERNMENT BILL.

The Bengal Agricultural Income-tax Bill, 1944.

Rai HARENDRA NATH CHAUDHURI: On a point of order, Sir. If we are going to consider the Bengal Agricultural Income-tax Bill, 1944, I submit that amendments Nos. 112 and 113 appear to be misplaced.

Mr. SPEAKER: There is no doubt about that. They will be taken up after amendment No. 143. Thank you for pointing that out.

Clause 6.

Rai Bahadur JOGESH CHANDRA SEN: Sir, I beg to move that in clause 6 (*1*) (*ii*), line 1, after the words "local rate" the words "or Tax" be inserted.

This is only about a point of small omission, because the landholders in some parts of the province have got to pay chaukidari tax and other taxes. I, therefore, suggest that the words "or tax" should be inserted, so that it may come under the Allowance clause. That is the idea behind the amendment. Moreover for repairing buildings and other things we have got to

purchase materials such as tin sheets, bamboo, etc., for which we have got to pay sales tax and that tax also should come under the Allowance clause and in some cases the municipal tax has also to be paid. So I say the words "or tax" be inserted.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, there is no land tax at present in Bengal. Besides, there is a residuary clause at the end which includes what may have been left out. Therefore, there is no necessity for having the words "or tax" inserted.

Rai HARENDRA NATH CHAUDHURI: Sir, have the landlords got to pay municipal tax in respect of lands lying within a municipal area?

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: That is covered by local rate.

Rai HARENDRA NATH CHAUDHURI: Is the Hon'ble Minister prepared to say that it is only a local rate and not a tax?

Mr. SPEAKER: Mr. Rai Chaudhuri, that is not the proper procedure. If you want to speak, you can speak on the motion

Rai HARENDRA NATH CHAUDHURI: Sir, I beg to support the motion moved by my esteemed friend Rai Bahadur Jogesh Chandra Sen. The words "local rate" may not cover the local taxes which are described as tax, for example, the municipal taxes. The municipal taxes may be termed as local rates or they may not be so termed. Therefore there is no harm if the words "or tax" be inserted there

Mr. DHIRENDRA NATH DATTA: Sir, I object to the insertion of the words "or tax", because the municipal tax has got nothing to do with agricultural land, and so the local rates include chowkidari tax and union rates. Therefore, in my opinion, the insertion of the words "or tax" is unnecessary.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, as I have already said, there is no necessity for the insertion of the words "or tax", and I am glad that my honourable friend Mr. Dhirendra Nath Datta has supported me.

Dr. NALINAKSHA SANYAL: Sir, I beg to move that the proviso to sub-clause (2) of clause 6 be omitted.

Sir, I have to place at this stage before you the whole idea with which I have been inspired, not only in regard to this amendment but several amendments in succession which will come up before us presently.

Sir, this proviso limits the rate of interest to be allowed and it has been stated there that a rate higher than that permissible under the Bengal Money-lenders Act, 1940, will not be permitted. That is one point.

The second point is, that if we compare this clause 6, which relates to abatements or allowances on agricultural income from rent and revenue, with the agricultural income derived by the cultivator, which comes up in clause 7, it will be noticed that the two groups of assesses are treated entirely differently. My submission is that there should be fair and equal treatment

to all classes of assesses under the Agricultural Income-tax Act and if there is any concession to be given, the concession should be really in favour of humbler men, namely, the cultivators.

We find, Sir, that in the case of the cultivator the allowance to be given on account of interest that he pays is circumscribed by three conditions: the first condition is that he will only be allowed abatement by way of interest for such portion of his capital indebtedness which is incurred only for the improvement of the land. If he has got to incur any debt for the treatment of his sick child, if he has to incur any debt to meet any emergent requirement like putting some thatch on his roof or on hut or to buy clothing for his daughter whose marriage he has undertaken, on such loans he will not get any relief, and interest paid on account of such loans will not be allowed in the abatement of the taxable income. That is the first disability. The second disability for the cultivator is that he must not be allowed abatement for anything more than the rate permissible under the Bengal Money-lenders Act. Even if he is actually paying more interest, he will not be given any relief. And the third is that on loans incurred during a previous period before the particular date, namely, the 1st of September, 1941. If the charge is created by him on or before the 1st of September, 1941, then also he will not get the benefit. These are the three serious disabilities which we place against the cultivator, whereas in the case of the rent receiver or the revenue receiver the only condition that is imposed is that he will not be allowed abatement or allowance at a rate more than that permissible under the Bengal Money-lenders Act, 1940. Sir, I have visualised in my amendments which follow from this onwards, one uniform scale of allowances both for the rent receiver in regard to this point as well as with respect to the cultivator. In connection with the abatement of interest my own humble feeling is that when people have to borrow money, it is a capital charge on himself which correspondingly has to be paid interest on and that abates his income automatically, and when we are going to tax an income, the purpose of the loan or the quantum of interest payable should not be the guiding factor in determining the abatement. In the Indian Income-tax Act also there is no such provision, and if one can give evidence to the satisfaction of the assessing authority that a particular interest has been paid during the year under assessment, then abatement is allowed on account of the actual payment of the interest. There is no further limitation thereof. And, Sir, I do not see any reason why conditions different from the provisions under the Indian Income-tax Act should be introduced in this Legislature. I have heard the Hon'ble Minister in charge very often invoking the Indian Income-tax Act when he fails to accept some of our amendments however reasonable they may be and at the same breath it does not surely lie in his mouth to refuse to accept such amendments which seek to bring the preesnt Bill in line with the provisions of the Income-tax Act.

I have proposed deletion of this proviso because in my humble opinion there should be no other limitation than the simple fact of actual payment during the year under assessment. In case, however, in the wisdom of this House the House wants to impose conditions, I see no reason why the conditions should be different as between the cultivator and the landlord.

If the cultivator has to be fettered by various limitations, namely, rate of interest, the purpose of the loan and the date the loan is created, have all those conditions also on the landlord. We have no right to exempt the landlord from the operation of certain disabilities while at the same breath in the next clause we are going to impose those conditions on the poor cultivator. My own view of this is that both should have freedom in regard to interest payment; the only criterion should be actual payment of interest during the year of assessment, and if that is proved the assessing authority should accept that in allowing the abatement.

With these words I move my amendment.

Maulvi MUHAMMAD ISRAIL: Sir, I beg to oppose the amendment just now moved by my friend Dr. Nalinaksha Sanyal. He has said many things for which he has not moved the necessary amendments. The amendment that he has proposed in 131 is simply the omission of the proviso to clause 6, sub-clause (2). Here it is provided that the interest allowable under this clause shall not exceed the interest which the assessee is liable to pay in respect of such mortgage, charge or capital as a borrower under section 30 of the Bengal Money-lenders Act, 1940. Dr. Sanyal's contention is why should not the landlord be allowed the interest which he has actually paid, but he has forgotten one thing and that is that the Act has not as yet been passed. As soon as the Act will be passed only that period of the previous year or of the year in which there will be assessment will be taken into consideration. The Bengal Money-lenders Act, 1940, is in operation for some three or four years. So any interest which has been paid must have been paid according to the provision of section 30 of the Bengal Money-lenders Act. There cannot be any question of any privilege beyond section 30 of the Bengal Money-lenders Act, 1940. If there is any decree the court is bound to decree according to the provision of that Act and also even if it is paid outside court, I do not find any reason why the interest should be paid more than which is provided in the Bengal Money-lenders Act, 1940. So, so far as this amendment is concerned, I do not see any reason why the proviso should be omitted. If that is omitted that will give the landlord the right to claim interest at a rate which is not warranted by the provisions of the Bengal Money-lenders Act, 1940, which is in force for the last three or four years.

Moreover, Sir, Dr. Nalinaksha Sanyal has pointed out that in clause 7 (3) there is some difference made between clause 6 (2) and clause 7 (3). That is certainly true and we would have welcomed his amendment if he proposed any amendment for bringing clause 6 (2) at par with clause 7 (3). He has not proposed any amendment on that but he has spoken at length on that. (Dr. NALINAKSHA SANYAL: You will find in course of time.) The point is that so far as the amendment he has proposed—No. 131—is concerned, he has simply proposed that the proviso be omitted. We also feel strongly the point that there should not be any differentiation. So far as clause 6(2) and clause 7(3) are concerned we are also anxious that both the rent receiver and the actual cultivator should be brought on par so far as payment of interest on capital that has been invested is concerned. So, we

have no difference so far as clauses 6(*2*) and 7(*3*) are concerned. Rather, we will prefer that any debt which has not been incurred for the benefit of the estate should have protection as allowed under this Act. So, I would request the Hon'ble Minister to make both the clauses 6(*2*) and 7(*3*) just on par.

Dr. NALINAKSHA SANYAL: May I add one word after what Mr. Israil has said. I only want to point out that in some cases interest higher than permissible under the Bengal Money-lenders Act is permissible under the present law. Both the co-operative societies and the land mortgage banks are charging higher interest than is permissible.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Mr. Israil in opposing Dr. Sanyal's amendment has made it easy for me. I have only to add that the Government will try to bring the interest sub-clause in clause 7 in line with interest sub-clause in clause 6. I need hardly add anything to what Mr. Israil has said in opposing this amendment.

Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I beg to move that the following be inserted at the end of sub-clause (*3*) of clause 6:—

"any sum paid by him as interest in the previous year on loans for payment of land revenue or rent and any local rate or cess in respect of such land; any amount of penalty paid by him in the previous year on the arrears of land revenue; any sum spent by him in the previous year for charitable purposes not covered by clause 4 (*b*)."

Sir, in the computation of allowances under the head agricultural income from rent or revenue, as made in this sub-clause, no provision has been made for the payment of interest on loans incurred on the previous year for payment of land revenue or rent any local rate or cess in respect of such land, or any amount of penalty paid by him in the previous year on the arrears of land revenue. Sir, I fail to understand why provision has not been made in this Bill giving exemption for such payment actually made for earning the income.

Sir, in the Indian Income-tax Act, the actual cost of collection is exempted before assessment is made. If a landowner has to incur this additional expenditure through no fault of his, why he should be penalised for it. I also feel that similar exemption should be granted to him for money spent for charitable purposes—money which he personally does not enjoy.

With these words, Sir, I commend my motion.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, revenue and cess are the first charge on the property. It seldom happens that a landlord's total collection in a year is less than the revenue and cess payable in respect of that year by that estate. Defaults take place chiefly because collections are appropriated by the landlords for other purposes. (Dr. NALINAKSHA SANYAL: If they cannot collect, why don't they go to the Court of Wards?) Similar expenditure as mentioned by the Maharaja is allowed as reduction for reasons stated under clause 4 (*b*)

Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that in the Explanation to sub-clause (*4*) of clause 6 in line 4, for the words "for repairing" the words "for replacing or reconstructing any dykes or embankments or repairing" be substituted.

Sir, the Explanation is designed to meet the requirements of those who have properties in the Sundarbans area. It has therefore been provided that "maintenance includes not only current repairs but also such work in the case of protective dykes and embankments as may be necessary from year to year for repairing any damage or destruction caused by floods or other natural causes". Government have envisaged the possibility of embankments in the Sundarbans area being washed away by tidal waves or bores and it is because Government have envisaged the possibility of such destruction that they have introduced this Explanation. But, Sir, the Explanation does not meet all the requirements, because "all such work" which will be allowed are works for repair only—not works which will involve new construction. It is an allowance for repairs only. The words "all such work" are deceptive, for they mean all such work as may be required only for repairs. The Explanation, phrased in apparently generous terms, simply provides for the cost of repairs—and not for new construction at all. Sir, if the expression stands as it is, then the expenditure that will be required for making new constructions of such dykes and embankments as are wholly destroyed or damaged beyond repairs will not be allowed for. Government may say "well, that will be in the nature of capital expenditure—non-recurring expenditure." No, Sir. In such cases in all countries, not only the cost of repairs is allowed, but the cost of making new construction also. I would invite the attention of Government through you, Sir, to the provision that obtains in England. You will find that among the allowances in respect of income from lands there is such an allowance of the cost of sea walls and embankments. I am reading, Sir, from section 91 of Halsbury's Laws of England, Volume 17, dealing with income-tax. The provision runs as follows: "The amount expended by the landlord or owner of lands" "in the making or repairs——"—Sir, I stress the words "in the making or repairs——"—of sea walls or other embankments necessary for the preservation or protection of land against the encroachment or overflowing of the sea or any tidal river whether charged by a public rate or assessment or not." You will find, Sir, that new constructions are allowed for in other countries. Why should not the cost of new construction be allowed for here in the Sundarbans area where embankments and dykes have often to meet the fury of nature. Unless that is allowed for, it will mean a very small solace to those who have estates in the Sundarbans area.

I would therefore request the Government to accept my amendment and thus to meet the requirements of the Sundarban estates. Government, Sir, have realised the necessity of making such an allowance and Government ought to make it comprehensive enough to include the cost of new constructions.

Dr. GOVINDA CHANDRA BHAWMIK: হরেণ বাবু যে amendment এনেছেন সে সম্বন্ধে আমি কয়েকটা কথা বলতে চাই। সুন্দরবন এলাকায় আমার জমিজমা আছে এবং আমি

সেখানকার অবস্থা জানি। সেখানে অনেক সময় নদীতে বড় বড় খাল থেকে এত জল আসে যে বাঁধ উপছে জল ওঠে এবং অনেক সময় বাঁধ ভেঙ্গে যায়। আগে যেখানে বাঁধ ছিল সেখানে হয়ত আর বাঁধ রাখা যায় না অনেক সময় কয়েক মাইল পিছিয়ে বাঁধ নূতন করে দিতে হয়। অতএব সেখানে আর শুধু repair খরচা দিলেই চলবে না। যেখানে repairing খরচা ২০০৲ টাকায় হয় সেখানে নূতন করে বাঁধ করতে গেলে ৩,০০০৲ টাকা খরচ হয়। Repair খরচ দেওয়া হবে অথচ নূতন করে বাঁধ দেওয়ার খরচ দেওয়া হবে না, তাহলে গরীব কৃষক যারা tax দেয় তাদের প্রতি অন্যায় করা হবে।

Rai Bahadur JOGESH CHANDRA SEN: Mr. Speaker, Sir, I wholeheartedly support the motion moved by Rai Harendra Nath Chaudhuri. Those who have any idea about the Sundarbans area or embankments will readily understand the reason behind it. We have got not only to maintain but very often to repair thousands of miles of embankments in the Sundarbans area. Sir, I hope that Government will be good enough to accept this proposal which is very modest, moderate and reasonable.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I realise that the case of the Sundarbans landlords is a hard one. But we have carefully considered their problems and I submit that capital expenditure on reconstruction or reinforcement of embankments cannot be allowed. But in so far as replacement or reconstruction is necessary by way of repairing damage caused by floods, etc., such expenditure will be allowed as a deduction and the present sub-clause is adequate for that purpose. That is a matter, Sir, which we have considered carefully, and I think that the present sub-clause as it stands is sufficient for the purpose.

Rai HARENDRA NATH CHAUDHURI: May I put a question to the Hon'ble Minister? If he accepts the spirit of the amendment why does he not accept the amendment itself?

(At this stage the House was adjourned for 15 minutes for prayer.)

(After adjournment.)

Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I beg to move that for sub-clause (*6*) of clause 6 the following be substituted, namely:—

> "(*6*) in respect of the cost of collection of such rent or revenue including the cost of maintenance of any *kutchari* or other capital assets or any expenses of litigation, any expenditure incurred solely for the purpose of making or earning such income."

This clause proposes to limit the computation of allowance in respect of cost of collection of rent or revenue to a maximum of 15 per cent. It is not understood why Government did not allow the actual cost which was incurred for the purpose. Under the proviso of this sub-clause, an extra 2½ per cent. is being allowed where accounts are audited in the prescribed manner. I am afraid this privilege could be availed of only by a very limited number of landholders. As audited accounts are not usually kept this additional 2½ per cent. could be availed of only by estates under the

management of the Court of Wards. There seems to be no reason why the actual cost of collection of rent or revenue should not be included. I fail to appreciate the real motive of Government behind this taxation measure. If the idea is to tax the entire income irrespective of the cost why make this show to fix any percentage for cost? Government may insist on the production of audited accounts. But once that is done, it will be grossly unfair to impose any limitation. By the audit chances of evasion will be reduced to a minimum and the Income-tax Officer will have full discretion to determine the actual expenditure. How can Government refuse to take into consideration any expenditure which is passed by the audit to be a *bona fide* one? I may further point out that under section 12 of the Indian Income-tax Act similar allowances are permitted in the cases of all expenditure actually incurred for earning the income.

With these words, I commend my motion to the acceptance of the House.

Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that for sub-clause (*6*) of clause 6 the following be substituted, namely:—

"(*6*) in respect of the cost of collection of such rent or revenue including the cost of maintenance of any *kutchari* or other capital assets and any expenses of litigation any expenditure (not being in the nature of capital expenditure) actually incurred for collecting such rent or revenue for maintaining any *kutchari* or other capital assets and for litigation in connection with the realisation of such rent or revenue."

The Bill provision before the House is that the cost of collection which has to be allowed should be limited to 15 per cent. and only in exceptional cases where audited accounts can be produced it will be allowed up to 17½ per cent. That is the provision of the Bill as it has emerged from the Select Committee; but, Sir, it is the professed object of all income-tax measures to tax only actual income and not any notional income, to tax the real income as opposed to any fancied income, to tax only that part of the income which is enjoyed by the assessee and not any supposed income or gross collection made by the assessee. That, Sir, is the principle that is adopted in all income-tax measures; otherwise, it will be no inome-tax measure, but a measure for capital levy. It is on that principle that section 12 of the Indian Income-tax Act is based. Section 12, Sir, as has been pointed out just before me by the Maharaja of Cossimbazar, provides for the allowance of all such expenditure as may be necessary for earning the income. The allowance is not limited to any percentage, far less to such a low percentage as 15 per cent. Section 12 runs as follows: "The tax shall be payable by an assessee under the head in respect of income, profits and gains of every kind which may be included in his total income, if not included under any of the preceding heads"—that is the first sub-clause; and sub-clause (*2*) which speaks of the allowance in respect of an income derived from "other sources" says, "such income, profits and gains shall be computed after making an allowance for any expenditure not being in the nature of capital charge incurred solely for the purpose of making or earning such income, profits or gains, etc.". Therefore, sub-clause (*2*) of section 12 of the

Indian Income-tax Act, which provides for those cases in which the income is derived from "other sources," makes an allowance for all expenditure that has been made or are required for earning the income under that head. Sir, it may be asked why should you look to section 12 and not to other sections of the Indian Income-tax Act? To that I refer because of the fact, as you know, Sir, that the *zamindary* income is even now taxed—I mean the non-agricultural portion of the *zamindary* income is even now taxed—under section 12 of the Indian Income-tax Act. And, but for the exception that has been made in respect of the agricultural income, i.e., had that exception not been made in the Indian Income-tax Act, even the agricultural income of the permanently-settled estates of the *zamindars* would have been taxed under section 12 and under no other section of the Indian Income-tax Act. That is the view of the Privy Council as expressed in the most important of Income-Tax Act cases of recent years, namely, in Raja Prabhat Chandra Barua's case. The decision is to this effect: "under section 6 (*vi*) of the Income-tax Act read with section 12, income derived from land in permanently-settled estates is liable to assessment to income-tax, subject only to the exemptions provided for in the Indian Income-tax Act itself". (34 C. W. N. 1017.) Therefore, in the opinion of the Privy Council section 12 of the Indian Income-tax Act was the proper section under which all incomes from *zamindaries* had to be taxed if there were no exception. But as you know, Sir, there is an exception in favour of agricultural income and therefore agricultural income does not come within the purview of the Indian Income-tax Act. Had the Indian Income-tax Act been applicable to all incomes, non-agricultural as well as agricultural, derived from landed property, surely this was the proper section under which agricultural income would have to be taxed. Now, Sir, I am quoting the exact language of Their Lordships' judgment: "The Indian Income-tax Act, 1922, by sections 6 and 12, brings into charge for the purpose of income-tax the income derived from a *zamindari* and that a *zamindar* is assessable in respect of income, profits and gains derived from that source." That is the opinion of the Privy Council that the *zamindari* income, if it were taxable, had to be taxed under section 12 of the Indian Income-tax Act.

Now, Sir, as I said before, it is well-known that the non-agricultural part of the income of a *zamindari* is even now taxed under section 12 of the Indian Income-tax Act, non-agricultural income such as *ban kar* (income from forest produce) realisations from *hats* and markets, receipts from *jal kars*, i.e., fisheries. All these receipts which have been held to come under the definition of non-agricultural income—all such receipts are now taxed under section 12 of the Indian Income-tax Act. Why then should a different provision be made in taxing agricultural income? If the non-agricultural part of the income from lands under the Permanent Settlement can be taxed under section 12, why should not a similar provision be made in assessing agricultural income and find place in the Bengal Agricultural Income-tax Act? Why should a separate provision, a provision of a different character, I mean, be made in respect of agricultural income? That is the direct question I put to the Hon'ble Minister, and I hope he will answer that question.

Then, Sir, there is another thing to consider in this respect. It is noticed in the amendments tabled, if not, in the notes of dissent, that considerable differences of opinion prevail as regards the correct percentage: some say that only 12½ per cent. of the income should be allowed as cost of collection; others say that it should be fixed at 20 per cent. But all this difference of opinion can be avoided if a provision is made for the allowance of actual expenditure. Then, Sir, nobody will be able to take advantage of the law if he does not spend so much as 20 per cent. or even 18 per cent. He will not be able to exploit this provision to his own advantage if he does not incur that much of expenditure. Nor will any body incurring larger expenditure than 12½ or 15 per cent. will have to suffer. It would be better to proceed on the footing of the actual expenditure and that is likely to disarm all suspicion that is entertained that by conceding what is deemed by some to be a high percentage such as 18 or 20 per cent. the landlords will profit. It is therefore to avoid all differences of opinion on this subject, that I think it best to provide for the allowance of actual expenditure so far as this item of allowance is concerned.

With these observations, Sir, I commend by motion to the acceptance of the House.

Maulvi MUHAMMAD ISRAIL: Sir, I beg to oppose the amendment moved by Rai Harendra Nath Chaudhuri and Maharaja of Cossimbazar. Under sub-clause (*6*) of clause 6 we find that in respect of the cost of collection where there is no audited accounts a maximum of 15 per cent. will be allowed as cost of collection. But in those cases where audited accounts are kept, the assessee will be given the actual cost of collection subject to the maximum of 17½ per cent. Now, Sir, Rai Harendra Nath Chaudhuri has pointed out as to why the actual cost of collection should not be allowed, as is done under the provisions of the Indian Income-tax Act. He has pointed out the relevant section 12 of the Indian Income-tax Act. But probably my honourable friend knows that in Bihar an Agricultural Income-tax Act had been passed and in their Act only 12½ per cent. has been awarded as the maximum for the cost of collection. So far as that Act is concerned, it was passed during the regime of the Congress Ministry when they were in office. The Indian Income-tax Act equally applies to Bengal and to other provinces of India and so to Bihar, but the Congress Ministry in Bihar after having given full consideration to the relevant section in the Indian Income-tax Act which has just now been cited by Rai Harendra Nath Chaudhuri in support of his amendment fixed the deduction at a maximum of 12½ per cent. of the cost of collection. Now, here in Bengal, it has been decided by the Select Committee that it should come up to 15 per cent. and they have made a further allowance of 2½ per cent. for accounts properly kept and audited in view of the peculiar circumstances which generally prevail in Bengal. The Maharaja Bahadur of Cossimbazar proposes that this maximum of 17½ per cent. be altogether omitted, that is, he says that if a particular *zemindar* can show that he has incurred 30 or 35 per cent. as cost of collection, Government will be bound to accept that figure. That is the meaning that can be put if the proviso

be omitted. The Government in their wisdom have decided that so far as the estates which have not their accounts audited are concerned they will get 15 per cent. and so far as those estates where the accounts have been audited are concerned they will get a reduction of the actual cost of collection but which will not in any case exceed 17½ per cent. I think in view of the fact that Bihar has provided 12½ per cent. and Assam has provided 15 per cent. and also that under the Income-tax Act, so far as income-tax on property is concerned, the actual cost of collection is not deducted but probably 6 per cent. is deducted——(Rai HARENDRA NATH CHAUDHURI: You don't know section 9 of the Indian Income-tax Act; it does not apply.) I mean to say that there the actual cost is not given but a per centum is deducted. (Rai HARENDRA NATH CHAEDHURI: Where?) Under the Indian Income-tax Act so far as house property is concerned. (Rai HARENDRA NATH CHAUDHURI: House property is a different thing.) For your purpose that may be a different thing, but there is a section in which it is provided not the actual cost but a certain per centum of the cost of collection. In this view of things I think that the provision that has been proposed by the Select Committee, i.e., 15 per cent. and 17½ per cent., is more than enough and it ought to satisfy our *zemindar* friends and the rent receivers in our province.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: The object of putting a ceiling is to discourage falsification of accounts and litigious propensities. (Mr. PRAMATHA NATH BANERJEE: You are encouraging both, I am afraid.) I am not quite certain about that. But I may be permitted to anticipate events a little; in case Rai Harendra Nath Chaudhuri moves his amendment No. 175, I shall be glad to accept that because in the case of properly audited accounts I think a higher ceiling is permissible——

Dr. NALINAKSHA SANYAL: On a point of order. I am not quite sure how the rates question now comes in because amendment No. 113 deals with other matters. We will come to the quantum of the rates or the rate of 17½ per cent. or 15 per cent. or what it may be at a later stage when the relevant amendment will be moved.

Mr. SPEAKER: That is another matter. He can speak on it.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: If he had heard me more carefully he would have realised that I was speaking on the relevant subject of the amendment. I am sorry I cannot waste my time in teaching the honourable members relevancy.

Dr. NALINAKSHA SANYAL: You learn it from your department.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: I may state that if Rai Harendra Nath Chaudhuri moves his amendment No. 175, I will be prepared to accept the higher ceiling for those who have kept properly audited accounts.

Dr. NALINAKSHA SANYAL: Sir, I beg to move that in sub-clause (*6*) of clause 6, line 4, for the words "fifteen per centum", the words "actual cost not exceeding twenty per centum" be substituted.

Sir, this clause deals with two sets of cost of collection—one relating to such rent receivers who are keeping accounts in their own way and would submit for the satisfaction of the taxing authority accounts, maintained in the manner that they choose to keep. A difference is made between such receivers of agricultural income and those who have regular audited accounts under certain system of accounting and the audit made by certain class of auditors. I feel that while legislating on the Bengal Agricultural Income-tax it is not our business to create a special class of accountants or auditors and to scrap the entire present system of Bengali Accountancy which has been in vogue for hundreds of years in the *zemindary* system of the province. I feel that this differentiation is made only in the interest of certain class of accountants who are conversant with mercantile or business accounts system and I presume that a new set of Chartered or Incorporated or Registered Accountants will be created who will have new opportunities. I see no reason why the system of accounting that has been in vogue and the system of auditing that landholders and rent receivers who are conversant with the mother tongue of the province only should be scrapped and foreign or alien system be encouraged. Are we to understand that this is only being done in the interest of—as my esteemed friend Rai Harendra Nath Chaudhuri feels—the Midnapur Zemindary Company or such other new-fangled recent organisations and also for the Court of Wards?

Sir, I have visualised only one matter and I plead for uniformity and while pleading for uniformity I submit that there should be merely a ceiling percentage rate fixed. In the case of Rai Harendra Nath Chaudhuri's amendment No. 175, an attempt is made to raise the rate of allowance from 17½ per cent. to 20 per cent. in the case of such receivers of agricultural income under this group who maintain properly audited accounts. I submit that there are large receivers of rent, particularly those who have to deal with *patnidars* and a limited number of big sub-tenants where the cost of collection may be very low indeed. It may be something like 10 per cent. only or even less. Therefore, there should be no special ground, no special reason why they should be given an opportunity to get an allowance of 20 per cent. of their collection. My submission is that it should be the actual cost. As to how the actual cost will have to be demonstrated or proved must be left to the assessing officer who will satisfy himself. If it is a process of presentation of audited accounts which satisfies him, I have no objection whatever, but if any indigenous system of accounting which is also properly kept and which also satisfies the Agricultural Income-tax Officer about the actual cost being a certain figure, I see no reason why such persons should be penalised and a lower rate should be forced on them. As I see it, Sir, there is no justification for two rates, namely, 15 per cent. and 17½ per cent. or 15 per cent. and 20 per cent. as the case may be. Whatever be the rate that would be permissible under this sub-clause should be one and uniform for all similar categories of persons earning agricultural income and it should be left entirely to them—the onus must be on them—to satisfy the Agricultural Income-tax Officer as to the actual quantum of the cost. And if in any particular case the cost is lower, there should be no reason why it should be boosted up and we should allow any larger

margin. If in any case the actual cost is higher than 15 per cent. I also see no reason why higher allowances should not be given, and, Sir, in all fairness I have submitted that there should be one limit which for purposes of guidance the receivers of agricultural income must have before them to have economical working in matters of collection and that limit in my humble view is 20 per cent. It appears, Sir, that the Hon'ble Minister in charge also appreciates—and I believe with full concurrence and approval of his party—that in certain cases 20 per cent. is a reasonable figure. That is the position taken up by the Hon'ble Minister in charge Let that 20 per cent. be the ceiling price and the actual cost be the criterion of exemption leaving the two rates entirely at par. There are hundreds of illiterate or half literate or not sufficiently literate persons in English language who own property and receive agricultural income. It is not fair to impose upon them a condition that they must abide by certain procedure of accounting and keep audited accounts in a particular manner. If the Hon'ble Minister in charge, who is also the Finance Minister, wants to encourage a particular profession in this House, there are other ways of doing the same.

With these words, Sir, I place my motion No. 149 for acceptance of the House.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, I would not have intervened in the discussion but for the observation that has been made by the Hon'ble Minister that he is prepared to accept the amendment No. 175 that stands in the name of Rai Harendra Nath Chaudhuri. I want to place before the supporters of this Ministry that a ceiling rate will have to be fixed and that will be 20 per cent. I do not think that there should be any two rates, because that will be detrimental to the revenue. A ceiling rate is necessary in order to encourage economy, but there is no ncessity for two rates. As my friend Dr. Sanyal has submitted, in the case of a large number of *zemindars* who have under them under-*raiyats* such as *patnidars* and *darpatnidars*, the cost of collection must be less and it is likely that it will be less than 15 per cent. If that be the case, then there is no reason why they should be given a greater amount of allowance. Sir, my submission before the members of the House is that in the case of many *zemindars* who have under-tenants and *patnidars*, they will make a huge profit if they are allowed 15 per cent. as minimum. I therefore say that there is no necessity for fixing two rates—a minimum rate and a maximum rate. As I have already said only a maximum rate is necessary in order to encourage economy. So far as the minimum rate is concerned, let it be confined to the actual cost incurred for the purpose of management of the property. So I submit that Mr. Israil will be well-advised if he supports the motion that has been moved by my friend Dr. Sanyal, that is, the actual cost not exceeding 20 per cent.

Maulvi MUHAMMAD ISRAIL: What about falsification of accounts?

Mr. DHIRENDRA NATH DATTA: Why? These Agricultural Income-tax Officers are there. I know that the Agricultural Income-tax Officers will be competent and experienced and they will be in a position to distinguish between a false account and a real account. My friend is

certainly aware that because there is an audited report by a registered company, because there is a report of an auditor saying that "really I am satisfied after examining the account that everything is correct", sanctity of the document is proved thereby, because the auditor can only go through the papers placed before him, he cannot go into the *zemindari* or in the villages to ascertain whether the cost is actually incurred.

Sir, I repeat again that there is absolutely no necessity of fixing the two rates, namely, maximum and minimum rates. I therefore, submit that the amendment that stands in the name of Dr. Sanyal is a well-reasoned one. It seeks to fix a maximum rate and wants to put only the actual cost incurred.

With these words I support the motion of Dr. Sanyal.

Mr. CHARU CHANDRA ROY: আমার বন্ধু ডা সান্যালের ১৪৯ সংখ্যক amendment সমর্থন করতে গিয়ে বলছি যে 15 per cent.এর যায়গায় actual expense not exceeding 20 per cent. করা হউক। অনেক যায়গায় দেখা যায় খরচ ওঠে না। অনেক সময় জমিদার তালুকদার, খামারদারদের collection expense 30 per cent.এও পোষায় না। সহজ কথা হ'ল কোন বাঁধাধরা percentage না নিয়ে সোজা actual costএর উপর যাওয়া যায় তাহ'লে সেটা justice করা হবে। আর একটা জিনিষ এখানে accounts নিয়ে আলোচনা চলছে। আমার মতে সাবেক কাগজ পরীক্ষা করা ভাল। সেই হিসাব থেকে actual expense বাদ দিলেই হ'ল। আমি হরেন্দ্র বাবু এবং ডাঃ সান্যালকে সমর্থন করছি এবং মাননীয় মন্ত্রী মহোদয়কে এইটা গ্রহণ করিতে অনুরোধ করি।

Babu ASHUTOSH LAHIRI: Sir, I beg to move that in clause 6(6) in line 4, for the word "fifteen" the word "twenty" be substituted.

Provision has been made allowing only 15 per cent. of the total amount of rent or revenue for collection charges including the cost of maintaining *katacharis* and litigation expenses. An exception has been made in the case of those who maintain accounts according to the modern standard and only 2½ per cent. in addition has been allowed in their cases. I do not know why this new element has been introduced, forcing a new class of accountants on *zemindars*. If they are to avail themselves of this additional allowance of 2½ per cent., the *zemindars* will have to modernise the whole system of maintaining accounts. For hundreds of years, these people have been maintaining accounts in their traditional manner which are being recognised as a very satisfactory standard. I think that Government ought to accept it. I quite agree with Dr. Sanyal that Government are creating new jobs for Incorporated Accountants and Registered Accountants who have plenty of jobs and I do not think that they stand in need of any Government patronage. I feel that unless the cost is increased to 20 per cent. it would be hard for a very large number of middle class *zamindars* who form 90 per cent. of the landlords in Bengal because you cannot expect them to change their old system of keeping accounts, to get rid of their *sumar-nabish* and *jamar-nabish*, and to modernise their accounts. The net result will be that they cannot avail themselves of this additional 2½ per cent. allowed under the proviso.

Sir, the Land Revenue Commission recommended 18 per cent. as the cost of collection and that recommendation was made 5 years back when the cost of living was far less. Since then, times have changed and I think 20 per cent. would be a very modest demand or the minimum that Government can accept. I hope that the Hon'ble Minister will accept this amendment.

Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that in clause 6(*6*) for the word "fifteen" in line 4, the word "eighteen" be substituted.

In moving this motion, I ought to make it clear that if motions Nos. 112, 113, 149 and 150-152 be not carried, only in that case, my present proposal will hold good. Sir, I have not much to say on this point, because I believe that all actual expenditure should be allowed for. That will do away with all differences of opinion; that will put a stop to all controversy about the correct percentage. I for myself cannot understand why in respect of the same property, for the non-agricultural portion of my income, I shall be allowed the actual cost by the Income-tax Officer under the Central Act and why in respect of the agricultural income of the same property, I shall have to be content with a low percentage as cost of collection simply because another agency is collecting the income-tax.

Sir, in connection with the amendment I am moving now I only place before the House the well-thought out recommendation of the Land Revenue Commission and it is to this effect: "The net profit should be calculated by deducting from the gross assets the revenue, the share of the cess which is paid by the *zemindars* and tenure-holders and, in the view of the majority, 18 per cent. on account of management, collection and litigation expenses."

Sir, the majority of the members of the Land Revenue Commission were of the view that 18 per cent. should be taken as the cost of management, collection and litigation in determining the valuation of the properties to be acquired by Government. Sir, having regard to this opinion, I think there will be no objection at least from the Government point of view to fix 18 per cent. as the collection charge. If 18 per cent. can be taken as the collection charge, while valuing these properties for the purpose of State acquisition, I cannot understand why a lesser percentage should be fixed simply because the properties now remain in the possession of the *zamindars* and other landholders. I would, therefore press that 18 per cent. should be fixed as the minimum cost of collection and I make it clear that I make this proposal only if my other proposal be not carried and if Dr. Sanyal's motion, i.e., motions Nos. 150-152 be not accepted by the House.

Rai Bahadur JOGESH CHANDRA SEN: Sir, my esteemed friends Dr. Nalinaksha Sanyal and Rai Harendra Nath Chaudhuri have ably pleaded the case for the increased percentage. If Government kindly examine their own accounts, they will find that their *khas mahal* and Court of Wards collection costs go up to 25 per cent. and sometimes more than that. In that view of the case I think that Government cannot have any objection to agree to this proposal.

Sir, I would first suport the amendment moved by Dr. Sanyal and failing that the proposal made by Rai Harendra Nath Chaudhuri. These are very reasonable and modest demands. I do not see any reason why they should not be accepted.

Dr. NALINAKSHA SANYAL: Sir, I beg to move that the two provisos and Explanation to sub-clause (*6*) of clause 6 be omitted.

Sir, I need hardly add to what I have already stated in moving my motion No. 149, in proposing this motion of mine No. 160. This is a consequential amendment. My suggestion has been that there need not be two different classes of abatement—one relating to those who keep accounts in a particular way and produce audited accounts and the other to other classes of receivers of agricultural income who may be keeping accounts in their own way. I have suggested that in all cases the actual cost be allowed with a maximum of 20 per cent. fixed as the ceiling rate. It would apply equally to those who keep accounts audited and certified to be correct by an accountant and to others. Therefore in my scheme there is no scope for a proviso and there is no necessity for an Explanation to the proviso

Sir, with these words I move motion No. 160 standing in my name.

Rai HARENDRA NATH CHAUDHURI: Sir, I do not move this amendment Nos. 162-169 because I stand better advised by the speech of my friend Dr. Sanyal not to do so.

Mr. ADWAITA KUMAR MAJI: Sir, I beg to move that in the proviso to clause 6(*6*), in line 9, for the words "seventeen and one-half" the words "twenty-two and one-half" be inserted. Mr. Speaker, Sir, এইসব ক্ষেত্রে যে সমস্ত ত্রুটি আছে আমার মনে হয় 17½ per cent.এর যায়গায় যদি ২২॥০ per cent. দেওয়া হয় তাহলে অনেক সুবিধা হবে। গভর্ণমেণ্টেরও কোন অসুবিধা হবে না। আমি মন্ত্রী মহোদয়কে এই প্রস্তাব গ্রহণ করতে অনুরোধ করছি।

Rai HARENDRA NATH CHAUDHURI: Sir, although the Hon'ble Minister has said in advance that he may be disposed to accept this amendment (No. 175), I do not move this.

Mr. MD. ABUL FAZL: Sir, I beg to move that in the proviso to clause 6 (*6*), line 9, for the words "seventeen and one-half" the word "twenty" be substituted.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, first of all I wish to submit that the amendment under discussion casts no aspersion on the indigenous system of accounting. We want to give this privilege only to those who keep accounts fully and properly and which is capable of being audited. Our object firstly is to raise money by taxation but we also at the same time discourage irregular accounts as much as possible with a view to avoiding litigation. I accept only amendment No. 176.

Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that after sub-clause (*7*) of clause 6 the following sub-clause be inserted, namely :—

> "(*7a*) Any sum spent in the previous year for charitable purposes as described in the Explanation to section 4 out of his total agricultural income from rent or revenue of that year."

Sir, honourable members must have noticed that to encourage life insurance amounts paid by way of premium have been excepted. That is a good policy—a policy which means to encourage thrift. But if thrift deserves encouragement, why not charity? And in this view I am going to move this motion. Any sum spent for charitable purposes, not of course as I define them but for charitable purposes as have been defined in the Explanation to section 4, ought to be allowed for. That will be encouraging charity and I hope the Government will be better advised to accept it.

Mr. H. ROWAN HODGE: Sir, I beg to move that in clause 6 after sub-clause (*8*), the following new sub-clause be added, namely:—

"(*9*) any other sum which may be prescribed."

Mr. Speaker, Sir, this is purely a permissive power to enable Government by rules to add any other allowances which may be found to be required. This clause appeared in the original Bill and also appears in the Assam Act. It was taken out by the Select Committee but I am asking Government to consider the proposal to restore the clause in that form. Sir, I move.

Rai HARENDRA NATH CHAUDHURI: Sir, I would point out to the House that this is not required at all in view of the provision in sub-clause (*8*) of clause 8. Sub-clause (*8*) provides "any other expenditure of the assessee, not being in the nature of capital expenditure or personal expenditure laid out wholly and exclusively for the purpose of deriving such agricultural income from such land". I think in view of this sub-clause (*8*) it is superfluous to add this new sub-clause.

Mr. A. F. STARK: Mr. Speaker, Sir, with reference to my honourable friend, Mr. Rai Chaudhuri's remarks, I would like to point out that this sub-clause to which he has referred definitely limits deductions to any other expenditure not being in the nature of capital expenditure laid out wholly and exclusively for the purpose of deriving such agricultural income from such land. In addition to that sub-clause I think Government should have permissive power to include any other expenditure, for example, contributions to recognised charities or to provident funds of employees. Such contribution would not come under the previous sub-clause, and the amendment would give to Government a discretionary power to permit such contributions if they think them to be suitable deductions.

Dr. NALINAKSHA SANYAL: Sir, I feel that although ordinarily we are not inclined to view any suggestion from the European Party with favour, in view of the things before us, with the nature of a majority not prepared to accept logic in the House that we have to face, we are inclined to think that, a saving clause of this character which empowers Government and permits them later on to be wise should be kept. It is quite possible that while we are discussing here various suggestions, some suggestions might have appeared reasonable to the Government and I dare say the exemptions proposed for expenses on charitable purposes—the actual expenses—which have been from year to year given and earmarked for public institutions like hospitals, colleges and schools—have created some sympathy both in the minds of the Minister in charge as well as of members of the party although on the spur of the moment and in the atmosphere that we

are in the House they might for obvious reasons have opposed all reasonable suggestions made in the House. It would, therefore, be advisable to leave some power with the Government to exempt at a later stage if any further allowance can be made or should be made in view of the circumstances prevailing in the country or new circumstances arising. After all, with all the wisdom in this House we cannot visualise every possible circumstance that may arise and in future something may happen, as my friend Mr. Stark has already pointed out, that in the near future there may be a demand for having provident funds created in favour of employees of such receivers of rent as are governed by clause 6. Contributions to provident fund are exempted by the Indian Income-tax Act. There have also been cases in which contributions of certain other categories have also been exempted by the Indian Income-tax Act by short amendments of the Act of late. All those would be covered by an omnibus permissive sub-section in the Act as proposed by Mr. Hodge. I feel that no legislation should be permissible which is so hide-bound as to leave no flexibility and no alternative left even to Government to make suitable adjustments if and when they may be felt necessary. I have already stated that this is felt by me in view of the senseless nature of the majority who support Government while motions are moved in this House.

Rai Bahadur JOGESH CHANDRA SEN: Mr Speaker, Sir, I support the amendment moved by Mr Hodge for this reason that it is better to have something than nothing Now we are in the dark, but a time may come when a Government with a wider outlook may consider this question, and, as has been pointed out by Dr. Sanyal, nobody can say, no Legislature can say "we have said the last word in the matter" and with that object in view, if you have an enabling clause like that, we might get redress some day, some time and from some quarter. That is what I have to say.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: Sir, I accept the amendment.

Sir, I crave your special leave to move my amendment that after sub-clause (*6*) of clause 6, the following new sub-clause——

Dr. NALINAKSHA SANYAL: Sir, may I submit that these amendments have been placed before us only today this evening and at least so far as our party is concerned, we have not been able to examine their implications. I do not know if other parties have——

Rai HARENDRA NATH CHAUDHURI: We are also experiencing the same difficulty.

Dr. NALINAKSHA SANYAL: If these are left over for the next day, it would be very helpful.

The Hon'ble Mr. TULSI CHANDRA GOSWAMI: If honourable members feel that they cannot deal with the amendment, of course I should only be too willing to put it over, but I think that this is a very simple amendment.

Mr. SPEAKER: All right, it stands over. I think discussions are over and I can put the amendments.

Dr. NALINAKSHA SANYAL: Would it not be possible to hold over voting?

Mr. FAZLUR RAHMAN: As much as can be disposed of should be done today.

Mr. SPEAKER: I think there will be no division.

Rai HARENDRA NATH CHAUDHURI: Of course, there will be.

Mr. SPEAKER: If I just have an idea on which of the amendments you would like to have division, they may not be taken up and the rest may be disposed of.

Mr. DHIRENDRA NATH DATTA: Let us dispose of sub-clause (*a*) and after considering sub-clause (6) (*a*), other amendments may be taken up.

Mr. SPEAKER: We have still six minutes at our disposal.

The motion of Rai Bahadur Jogesh Chandra Sen that in clause 6 (*1*) (*ii*), in line 1, after the words "local rate" the words "or tax" be inserted, was then put and lost.

The motion of Dr. Nalinaksha Sanyal that the proviso to sub-clause (*2*) of clause 6 be omitted, was then put and a division taken with the following result:—

AYES—55.

Abdul Haiz, Mr. Mia.
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahed, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, Mr. Pramatha Nath.
Barat Ali, Mr. Md.
Barma, Mr. Puspajit.
Bhowmik, Dr. Gobinda Chandra.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Radhanath.
Das Gupta, Dr. J. M.
Datta, Mr. Dhirendra Nath.
Dolai, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Edhar, Mr. Upendranath.
Fazlul Huq, Mr. A. K.
Gupta, Mr. Jogesh Chandra.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, Nawab Bahadur K., of Dacca.
Hasan Ali Choudhury, Mr. Syed.
Hashem Ali Khan, Khan Bahadur Maulvi.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Majumdar, Mrs. Hemaprova.
Maniruzzaman Islamabadi, Maulana Md.
Mookerjee, Dr. Syamaprasad.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. S.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Mustafa Ali Dewan, Maulvi
Nandy, Maharaja Srischandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Pani, Sir Hari Sankar.
Poddar, Mr. Anandilal.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sen, Mr. Atul Chandra.
Sen, Jogesh Chandra, Rai Bahadur.
Sen-Gupta, Mrs. Nellie.
Shamsuddin Ahmed, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sur, Mr. Harendra Kumar.
Wahiur Rahman, Maulvi.
Yousuf Mirza.
Zaman, Mr. A. M. A.

NOES—28.

Abdul Aziz, Maulana Md.
Abdul Haiz, Mr. Mirza.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Karim, Mr.
Abdul Mohaiab Mallik, Dr.
Abdul Wahab Khan, Khan Bahadur.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdus Shahood, Maulvi Md.
Abul Fazl, Mr. Md.

Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Abul Masud, Kazi.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Amir Ali Mia, Maulvi Md.
Amjad Hossain Khan, Khan Bahadur Maulvi.
Barma, the Hon'ble Mr. Premhari.
Burkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Chakrabarty, Babu Narendra Narayan.
Shippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Emdadul Haque, Kazi.
Farhat Bano Khanam, Begum.
Fazlul Qunder, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D., C.I.E.
Gomes, Mr. R. A.
Goswami, the Hon'ble Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hatemally Jamadar, Khan Sahib Maulvi.
Hayweed, Mr. Rogers.
Hirtzel, Mr. H. A. F., O.B.E.
Hodge, Mr. H. Rowan.
Jalaluddin Ahmad, the Hon'ble Khan Bahadur Maulvi.
Jasimuddin Ahmed, Khan Bahadur Maulvi.
Kumar, Mr. Atul Chandra.
Leisk, Mr. John.
McGregor, Mr. G. G.
McPherson, Mr. G. P.
Mafizuddin Ahmed, Khan Sahib Maulvi (Tippera).
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Mandal, the Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Moslem Ali Mollah, Maulvi M.
Muhammad Abdul Halim Mollah, Mr.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjea, the Hon'ble Mr. Taraknath, M.B.E.
Mullick, the Hon'ble Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur
Mustagawsal Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Pain, the Hon'ble Mr. Barada Prosanna.
Powell, Mr. J. A.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman Khan, Mr.
Roy, Mr. Dhananjoy.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, the Hon'ble Mr. Khwaja, C.B.E.
Shahedali, Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Thorman, Mr. C. M.
Walker, Mr. J. R.
Whitehead, Mr. R. B.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 55 and the Noes 98, the motion was lost.

Adjournment.

The House was then adjourned at 6-33 p.m. till 4-45 p.m. on Friday, the 18th February, 1944, at the Assembly House, Calcutta.

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(Official Report.)

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